

500 - CRIMINAL - CAREERS

500 CRIMINAL CAREERS

AMERICAN TRIALS

EDITED BY SAMUEL KLAUS

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THE MILLIGAN CASE



Volume II

THE MOLINEUX CASE



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THE CHICAGO
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THE
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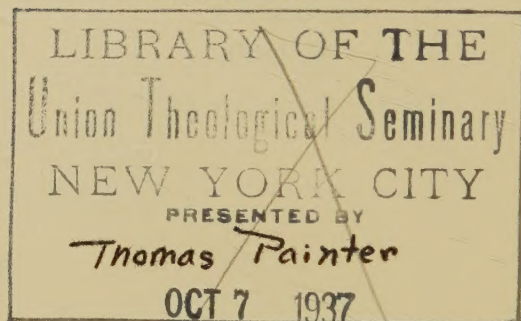
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SCHOOL OF THEOLOGY

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TO
OUR FRIEND
DR. RICHARD C. CABOT

UNION THEOLOGICAL SEMINARY

MAR 10 1901

EVANGELICAL
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FOREWORD

I

The important fact established in this book is that out of 510 men who left the Massachusetts Reformatory during the years 1911-22 *eighty per cent were not reformed* five to fifteen years later, but went right on committing crimes after their discharge. This is a damning piece of evidence — not against that Reformatory in particular, which probably stands high among institutions of its kind, but against the reformatory system in general. Here it does not work. No one knows that it works any better elsewhere.

So far as we know, this is the first time that anyone has made a serious effort to find out whether our reformatories are accomplishing what they are intended to accomplish. No judge who sends men there, no parole board that lets them out, no prison commission which administers the system, no citizen who pays taxes to support it, has apparently ever taken the trouble to find out whether its results are good, bad, or indifferent. It takes a great deal of trouble to ascertain these results. But it can be done, as this book proves, and that it has never been done till now seems to me a most astounding fact.

The public has been lulled into a comfortable sense that things were being fairly well done in our penal institutions because statements have been made from time to time in the official reports¹ to the effect that four-fifths of the inmates *were reformed*. Evidently these optimistic statements rested on insufficient study of the facts. If one does not hear that a man has been arrested, one may be rash enough to assume that he has not been arrested. But without a very elaborate, costly, and time-consuming process one cannot follow the after career of these men, who move rapidly, change their names, and cover up their tracks.

One of the outstanding features of the study described in this book is that ninety per cent of the 510 men who left the Reformatory between 1911 and 1922 were traced and identified in 1926 and 1927. Knowing as I do the men and women who did this work and the amount of ingenuity and persistence which they expended, I predict that it will be a long time before such a thorough and accurate piece of follow-up work is done again. It took the larger part of three years and cost eleven thousand dollars, the money being supplied through grants from the Milton Fund of Harvard University.

The success of the undertaking is due, in my opinion, to the good judgment

¹ See foot-note 8 below, p. 5.

and ripe experience of Professor Sheldon Glueck as a student of crime and punishment, to the skill and tact of Mrs. Glueck as an expert social worker, and to the wisdom and resourcefulness of Mr. Samuel C. Lawrence, who secured the personal interviews with most of the men concerned, without stirring up trouble in their families, their jobs, or their neighbourhood.

This last point is of some importance. Investigations of ex-prisoners have often been discouraged in the past by the fear of raking up a man's criminal record after he had become re-established in society, among people who had never heard of his former life or had forgotten it. It is easy to see how embarrassing and unfair a disclosure of his past record might be to a man who has given up crime and is now making good. To avoid this, Mr. Lawrence and all who took part in the investigation were especially careful in each case that nothing about the criminal record of the men whom they were studying should be divulged — even to members of his family — unless they knew the facts already.

Such an investigation as this would of course have been difficult or impossible had it not been aided and encouraged by the former Commissioner of Correction in Massachusetts, Mr. Sanford Bates. The work was done, not only with his permission, but at his desire and with his backing and assistance. He directed that all records concerning the men here studied should be freely open to the investigators both in his office and at the Reformatory. He withheld nothing. He gave every aid and facility in his power, because, like the authors of this book, he wanted the truth and the improvement of our methods of dealing with crime.

Mr. Judge, the Superintendent of Concord Reformatory, has also shown his entire willingness to have his institution and its inmates studied fairly and impartially. He has co-operated with Professor and Mrs. Glueck in their researches and has furnished all the documents and information asked for. It is because of this fair and helpful attitude on the part of Commissioner Bates and Superintendent Judge that the work has gone on so smoothly and successfully.

Another potent aid to the assembling and interpretation of our data has come through the active and patient assistance of Dr. Guy Fernald, physician and psychologist to the Reformatory. He has reviewed all the psychiatric and psychological records made by him on the group of men here studied, put the data into shape for statistical use, and given freely of his time and knowledge in talking over particular cases and policies.

The attitude of these three gentlemen seems to me to show how the responsible public officials of a state government may willingly and actively co-operate in a piece of research initiated by a university for the public good. Ordinarily such a piece of team work by private and public agencies would

hardly be possible. The State of Massachusetts is to be congratulated on being served by officials who are ready and fit to aid in research.

II

Returning now to the description of what this study seems to have brought out, I may reiterate that:

It shows that the Massachusetts Reformatory (probably one of the best in the country) failed, in eighty per cent of the cases studied, to do what it is meant to do. It did not reform these men, for they continued their criminal careers, though not quite so actively as before.

If the Reformatory has been of use by scaring and so deterring potential criminals into respectability and by protecting the community from the depredations of the group of men actually confined in the institution, this has been the work, not of a *reformatory*, but of a *prison*. If this is all that the "Reformatory" can do, its name and its effort at reform should be given up. The Reformatory *as such* is a conspicuous failure. This does not mean that its officers are inefficient or blameworthy. It means that the methods now carried out in this and in most so-called reformatories of the country have not here accomplished their object.

In this there is no reason for surprise. Indeed, I think any other result would have been astonishing. Why should men thoroughly accustomed and habituated to crime and to dissipated and deteriorating habits of living, men interested in no honest work, in no harmless recreation, men with but the feeblest of home ties—why, I say, should such men change all these bad habits and acquire good ones merely because they are confined for a little over a year in an institution where they are forced to do work in which they have little or no interest, work chosen almost without reference to their future career or to their present tastes, and pursued, not principally for its educational value, but for its economic results, for which the prisoners care nothing? These are the conditions which this book reveals.

Why should this regime reform anyone? In my experience there are few tougher and more unyielding structures in the world than a bad habit. It does not change as the result of a few months of forced, unpaid,¹ and unpalatable labour. I doubt if anyone knows what will change such habits within a short time and under the conditions of institutional life. So far as I have seen such reforms or heard of them from others, there has been at least one necessary condition:

That someone should come to know and to understand the man in so intimate and friendly a way that he comes to a better understanding of himself and to a truer comprehension of the world he lives in.

¹ Until March 1929.

Out of this prime reorientation there may grow supplementary and reinforcing factors such as:

- a. A new interest in an honest job.
- b. A new affection for someone for whose sake it now seems worth while to behave more decently.
- c. A perception that crime doesn't pay.

I can hardly conceive of conditions less likely to produce these radical changes than the conditions of a reformatory. How can a man make an intimate and convincing friendship when he is allowed no time for it, when there is no one in the institution who has the time needed even to sew the seeds of such a friendship,¹ and when the conditions under which he lives are so unnatural, so depressing, so benumbing, that helpful personal relations are almost impossible in any case?

There is no considerable individualization in the treatment of the inmates of this Reformatory. There could not possibly be, so long as the number of officials is so small and so poorly paid and so long as the men's time is so largely filled up with uninteresting and usually uneducative work. Valuable though this work may be as an alternative to complete idleness, as a means of preserving discipline, and as an economic asset to the State of Massachusetts, there is no reason to believe that it exerts a reformatory influence on any considerable fraction of the men or that it favours their entering honest industry and sticking to it after their release.

Not even classification (as an approach to individualization) is seriously attempted. The feeble-minded, the mentally diseased, the many hardened criminals, and the few comparative neophytes in crime are all massed together and treated alike. Wherever lies wisdom in the treatment of crime, here certainly lies crass stupidity, based in the first instance on the state's short-sighted policy of economy and beneath that on public ignorance, inattention, and apathy.

III

What ought to be done about it?

I doubt if anyone can intelligently answer that question. Psychologists, physicians, social workers, and criminologists who readily condemn the present methods of treating criminals have themselves usually nothing to suggest but more accurate diagnosis. *Character diagnosis is essential and we lack it. But it is not treatment.* "Shall we have 'Vengeance or Vision'?" asked Dr. Karl

¹ Dr. Guy Fernald has attempted in connexion with his physical and psychiatric examinations to do individual work towards character reform. But he has had time for only one or two brief interviews with a fraction of the inmates.

A. Menninger in the *Survey* for March 1926. Vengeance here means our present treatment of crime. Bad enough, surely. But for that we are asked to substitute vision (that is, diagnosis)! This is what we are just now so prone to do when stumped by the problem of what is the remedy for crime. Call in the psychologist and the psychiatrist! Study the patient's emotions, his thought-processes, his inhibitions, his reflexes and reactions. By all means, but what then? Psychiatry and psychology have given thus far few if any clues of proved usefulness in the treatment of crime. It is not the business of these useful sciences to change a criminal's character.

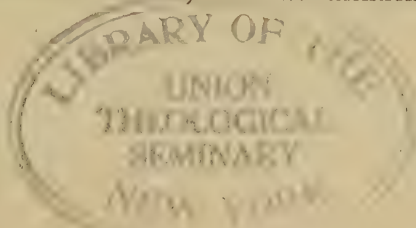
But we may agree that the reformatory regime of the present day is not the way to reform criminals. Some other way must be tried, some way which with an intimate understanding of the individual delinquent tries experiments with selected environments, selected companions (if they can be found), selected activities of work and recreation.

One of the most unpromising experiments sometimes proposed is sending the delinquent into the navy or into the army. By reasoning *post hoc ergo propter hoc* in a few cases this expedient can be justified. A boy goes into the navy and later is found to have straightened out. Whether this is because of or in spite of the navy no one, I believe, can say. And from the navy's point of view, who can defend such a practice? This, so far as I am aware, no one attempts.

Probation, as now administered by the State of Massachusetts, is far from perfect. No human being, no matter how talented, trained, and well paid, could look after the number of delinquents now habitually assigned to a single ill-paid and usually untrained probation officer. What a system of probation might do, if it were intelligently and liberally administered, we can only guess. My impression is that it might do wonders. But, so far as I know, there is no such system of probation in existence. A few devoted and talented probation officers nibble here and there at a corner of the huge problem of delinquency. That is all.

Is the Reformatory doing any harm? Does it usually breed bitterness and resentment among its inmates? Apparently not. For though four-fifths of them *act* badly after they leave it, two-thirds of them *speak* well of the institution and of their treatment there. There is remarkably little complaint of cruelty, of favouritism or injustice.

Is it a school for crime, where the younger learn from the more experienced criminals? Only thirty per cent of those interrogated thought so. Seventy per cent said the institution did no harm, and nearly two-thirds had something good to say, either for its deterrent effect, its trade-teaching, its regular life and habits, or for the good influence of certain officers, which was mentioned by 33 of the 510 inmates.



Does it pay for the money expended on it? As a reformatory certainly it does not pay. As a prison it may deter and it certainly imprisons, so that society is to this extent and for this period protected. But if we grant that *deterrence and detention* are positive advantages in a reformatory as well as in a prison, the answer is that if that is the prime purpose of the reformatory, its sentences are too short and its name is too long. It should be called a prison and its inmates should be kept there longer.

What sort of person is the average inmate of Concord Reformatory so far as this group of 510 men may be taken as a fair sample? He is already a criminal, and comes usually from a family containing other criminals, a large, illiterate, and impoverished family living in a congested city area. He is American born, of foreign parentage. In sixty per cent of cases he comes from a broken home. In eighty per cent of cases he leaves that home before he is eighteen and begins to wander from place to place, working irregularly for short periods at unskilled, low-paid jobs, which he has left school at fourteen or fifteen to pick up. By his sixteenth year his delinquencies have begun. *These 510 boys had been arrested 1944 times — nearly four times each — before they were sent to the Reformatory.*

They are chiefly thieves. Twenty-one per cent of them are feeble-minded. They stay from twelve to fifteen months in the institution, but usually master no trade while there. After leaving the institution on parole, half of them are failures so far as the parole officers (who see them less than once a month in eighty per cent of the cases) can tell. After finishing their parole the record shows that they are still a lazy, wandering, drunken set. Less than a third of them go to work at any trade plied by them in the Reformatory. Such work as they do is poor, though not quite so poor as it was before they entered the institution. Their criminality also, while it still continues, is not quite so steady or frequent as before their "reform."

I am not at all sure that the men studied in this book could have been reformed by any methods now known, no matter how much money and intelligence were spent on them. Perhaps this type of crime is a symptom of a self-limited disease of personality, which ordinarily runs its course during the years from sixteen to thirty-five or forty and cannot be checked by any remedies yet found. I believe that society is here confronting a problem too difficult for any wisdom yet existent. The book merely brings to light in the experience of one institution the general bankruptcy of our remedies for crime. Concord Reformatory could doubtless be improved in various respects if the legislature would grant the necessary appropriations. But I doubt whether any improvements which could now be suggested there would result in reforming the type of habitual offender who is now sent there from the courts of

Massachusetts. Either he must be prevented (if anyone can do it), or he must be kept indefinitely in confinement, or he must be turned loose — as he is now — to continue his life of crime until he gets tired of it.

Doubtless there are many persons who believe they know the remedy so much needed for these men. I hope that the failures pointed out in this book will lead such persons to bring forward their remedies and to give us all the benefit of them.

RICHARD C. CABOT

Cambridge, Massachusetts

Oct. 1929

PREFACE

In one of Dr. Richard Cabot's stimulating seminars held at Harvard several years ago, one of the authors presented a paper on the penological situation in the United States. He made the assertion that existing "follow-up" studies in the field of criminology were few and faulty. He expressed the opinion that only through a careful examination of the product of our penological mills could we ever learn of their value. The grist of those mills consists of thousands upon thousands of young men and women (largely the former) who are annually poured into them by a society that has never been very clear as to just what it expects the mills of justice to grind out, and how the task is to be accomplished. Engineering inspections of those mills are valuable, but insufficient. More necessary is a careful, periodic analysis of their grist; and still more important is a thoroughgoing, honest evaluation of their product.

It was Doctor Cabot's contagious enthusiasm that transmuted a wish into a reality. Through his efforts the Harvard Milton Fund supplied the means for the present study, and with his aid many difficult problems arising in the course of the research were solved.

Our gratitude to Doctor Cabot needs no formal acknowledgment.

But not alone to him and to the Milton Fund of Harvard University are our thanks due. In a way, literally hundreds of persons participated in the far-flung and deep-reaching investigations that were necessary before the present volume could materialize. We owe a genuine debt of gratitude to the hundreds of former inmates of the Massachusetts Reformatory and their families and friends for their co-operation. Their willingness to be of assistance was amazingly surprising to prison officials, who had predicted all sorts of dire consequences, but somehow it had been confidently anticipated by us.

In a large measure the rapport established between these soldiers of fortune and misfortune and ourselves was due to the tact, skill, and sympathetic approach of Mr. Samuel C. Lawrence, our chief field investigator. In him social work is indeed raised to a fine art. To him and to Mrs. Mildred P. Cunningham, a particularly faithful and intelligent assistant, our abiding thanks are due.

We acknowledge our great obligation also to Hon. Sanford Bates, until recently Commissioner of Correction of Massachusetts and now Federal Superintendent of Prisons. He is one of those unfortunately too rare penal administrators who is eager to learn the facts, regardless of how unpleasant they sometimes are.

We are also deeply indebted to Mr. Charles T. Judge, Superintendent of the Massachusetts Reformatory (although he did not hold that position during the years when the subjects of our study were at the Reformatory); to Dr. Guy Fernald, physician and psychiatrist at the institution, who, with the zeal of a missionary, has given the best years of his life to reformatory work; to Dr. Winfred Overholser, Director of the Division for Examination of Prisoners, Massachusetts Department of Mental Diseases, who made available case histories of a number of offenders and cheerfully rendered assistance whenever called upon; to Hon. Herbert C. Parsons, Commissioner, Massachusetts Board of Probation, who threw open the very helpful central records system of his office; to Miss Laura G. Woodberry, Director of the Social Service Exchange of Boston, who made it possible to clear our cases through the exchange; to Mr. Roscoe C. Hill, Chief of the Bureau of Criminal Identification of the Massachusetts Department of Correction; to his assistant, Miss Carrie Moyer; and to Mr. Frank Loveland, Jr., and Mr. Richard B. McSweeney, for reading parts of the manuscript. Dr. Richard C. Cabot and Dr. George W. Kirchwey, Dr. William Healy and Hon. Sanford Bates have at various stages read the entire manuscript, and we are deeply grateful for the suggestions that they made. Our thanks are also due to Professors E. B. Wilson and Ernest Hooton for statistical advice. We ourselves are of course responsible for the statistical work. To our associates on the Harvard Law School Crime Survey we owe thanks for encouragement and stimulation.

Under deep obligation do we feel, finally, to the chiefs of police, heads of identification bureaux, and social welfare agencies throughout the country. Because of their great number, they must remain unnamed; but their friendly assistance was a lesson in fine co-operation and gives promise of the pregnant possibilities of criminological research.

The history of society's efforts to cope with criminality teaches a moral the significance of which seems to have been overlooked. Too many of the "crime commissions" of recent years have started operations with the sounding of war-whoops and the flourishing of tomahawks. To the distinguished but naïve ladies and gentlemen who are members of these commissions the crime problem is exceedingly simple: all that has to be done is to "speed up justice," to make punishment "swift and sure," to "treat 'em rough," to "remember the family of the victim" (as if, alas, even the thumbscrew and the rack applied to the criminal will mysteriously bring back the victim). This may be called the stage of short-sighted inexpertism.

But the commissions soon discovered it to be the better part of wisdom and caution to employ experts, and these specialists soon began to hint that the problem presented is much more complex and perplexing than had hitherto been dreamed of in the philosophy of the commissions. Will this stage long

endure? Will it be recognized that continuous thoughtful study of the forces that make for anti-sociality, and scientific control of juvenile delinquency, are absolutely the lowest prices we can pay to keep criminality in check? Will it be finally acknowledged that to tinker with the courts and criminal procedure is to be occupied with but a small and superficial feature of the crime problem?

The signs are not too propitious. From the popular discussions of the crime situation it is clear that naïveté still dances in the land. Crime is to be banished by making a few changes in court procedure! The problem can be solved in a year or two! We Americans believe in speed and "efficiency." We can't be bothered with time-consuming investigations, with continuous reflection upon experience. Action!

If this book does no more than point to some of the manifold difficulties and obstacles that lie in the way of gathering accurate information regarding the crime problem, it will serve an important purpose. It should show how difficult and expensive it is to garner even a meagre harvest of true facts. It should show that there is no king's highway to the solution of the most baffling of social problems; for the study of man, of the shifting scenes of his behaviour, of the mysterious motivations of his mind, is not so simple as the building of airdromes or the rearing of skyscrapers.

But let the reader himself plunge *in medias res*. Let him decide for himself whether the fitful speed and sensationalism of the hare will get us farther in the race against crime than the persistent plodding of the tortoise.

S. G.

E. T. G.

Cambridge, Massachusetts
June 1929

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UNIVERSITY OF CHICAGO

EVANGELICAL
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OF THEOLOGY

FOREWORD BY DR. RICHARD C. CABOT

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500 CRIMINAL CAREERS

EVANGELICAL
SCHOOL OF THEOLOGY
CHAPTER I

INTRODUCTION

1. Need of Reliable Data concerning Results of Penal Treatment

What happens to the former inmates of our prisons? What percentage of them become law-abiding citizens? How many return to a life of crime and vice? What effect upon their character and outlook does a penal institution bring about? Is imprisonment a deterrent? How, in the light of the human product of our peno-correctional institutions, can we improve our methods of penal treatment? These are but a few of the fundamental questions which it has long been impossible to answer with any degree of accuracy. This is so because no reliable researches were made with the object of tracing down an appreciable number of former prisoners, studying their histories prior to and after incarceration, interviewing them and their families, and evaluating the penal institutions in the light of accurate facts carefully obtained. Hundreds of volumes have been written on the fascinating subject of crime and criminals, but not one has furnished a reliable estimate of the work and worth of our punitive and correctional devices.

And yet the trite but wise aphorism "By their fruits ye shall know them" should have long since suggested the need of a check-up on the work of our peno-correctional institutions by a study of their graduates. If it were discovered that the United States Treasury, in the century and a half of its existence, had never made a scientific audit of its output, persons of ordinary intelligence would be quick to recognize the dangers of such neglect. Yet the Treasury is concerned with the material wealth of the nation, not its human beings and their security; and but few voices have been raised to point to the need of a reliable audit of our penal institutions, which were evolved to protect society against its internal enemies. We think it can be safely said that up to the undertaking of the present piece of research no fundamental basis of evaluating those institutions had appeared. It is true that piecemeal investigations into various unrelated phases of the reformatory problem had been published;¹ but in the criminological literature of yesterday the absence of follow-up studies of the human product of our penal institutions is one of the most striking characteristics.

¹ Some of the best of such work was done by the Elmira Reformatory (see *Extracts from Penological Reports and Lectures Written by Members of the Management and Staff of the New York State Reformatory, Elmira, N. Y.*, grouped and edited by Fred C. Allen, secretary to the Board of Managers, Albany, The Summary Press, 1926, which collects the best of such con-

To fill this gap in the growing disciplines of criminology and penology would require many years of unbroken effort and the expenditure of vast funds. A beginning had to be made, and for the purpose of initiating a much-needed train of research it was decided to study the careers of a typical American reformatory group.

Scattered throughout the country there are some twenty of these specialized sanatoria of character, known as "young men's reformatories." Beginning in 1876 with the establishment of the Elmira institution in New York State, these reformatories and their methods gradually spread throughout the country. Among the instruments of reformation they rely upon are academic and practical education, physical culture, military drill, the "mark system,"² and productive labour. Their basic principles are or were intended to be the "indeterminate sentence," parole, limitation of the reformatory population to first offenders (or at least to those not already "hardened") and to the "young adult" group.³

The original, basic aim to limit reformatories to first offenders, or at least to those with not too serious criminal records, has gradually given way under stress of practice and expediency to a more or less indiscriminate admission of offenders of all degrees of seriousness of offence and intensity of recidivism. As far back as 1903 the complaint was voiced in the twenty-eighth annual report of the New York State Reformatory at Elmira that "though theoretically" the institution is "a place for first offenders, we, as a matter of fact, receive a great many who have had an intimate acquaintance with other penal institutions, and, instead of profiting thereby, have become more or less hardened criminals. Last year we had 656 of this character."⁴ So, also, the age limitation has not been adhered to as strictly as was originally intended.

2. *Inadequacy of Existing Contributions*

In spite of radical changes as to these factors of age and degree of criminality, which presumably are related to reformability, it has long been common for reports of reformatories to claim high percentages of "reforms" or "successes."

tributions); by the Indiana Reformatory (see *Preliminary Report, Department of Research*, by Rufus B. von KleinSmid, Indiana Reformatory, 1914, and annual reports of the institution); and by individual physicians and psychiatrists in reformatories, of which the well-known work of Dr. Guy Fernald at the Massachusetts Reformatory is an illustration (see, for example, his "Achievement Capacity Test," *Journal of Educational Psychology*, June 1912, and "The Field of the Prison Physician," *Proceedings of the Annual Congress of the American Prison Association*, 1922, p. 320).

² See p. 17.

³ The New York law of 1869 authorized the establishment of the Elmira Reformatory (first prisoners received July 1876, by transfer from a prison), "an institution for the reception of male felons, between the ages of 16 and 30, not previously convicted of any crime punishable by imprisonment in a state prison" (F. C. Allen, *The New York State Reformatory at Elmira*, 1916, p. 1).

⁴ P. 14. The 656 were out of a total number of 2,134. *Ibid.*, p. 12.

Thus in the report just cited it is claimed that of 445 men paroled in the fiscal year ending September 30, 1903, 384, or 86 per cent, "probably reformed." These estimates are based on the fact that 143 of the 445 men "served well (on parole) and earned absolute release," and that as to 238 others "correspondence and conduct" were "maintained, the period of parole not having expired."⁵

This statement is cited as typical of the claims of success on parole or thereafter that one finds in institutional reports, claims often uncritically accepted by even professional criminologists. We are not told how it was verified that ex-prisoners maintained good conduct while on parole; it is quite customary to *assume* they behaved well as long as nothing was heard to the contrary during the very rare visits of parole officers! It is accepted without question that since "correspondence and conduct" were allegedly maintained for a time, the ex-prisoners did not revert to criminal ways thereafter. Moreover, it is not clear just what such vague phrases as "good conduct" or "served well" signify. In brief, such statistics and claims of reformation are neither disinterested nor scientifically grounded.

The New York Reformatory report for the fiscal year 1909-10 enters into somewhat more detail; but essentially it is as inadequate as that of 1903 and the others. Thus, it is announced in the 1910 report that "of the 1,035 paroled, 859, or 81.6% have earned their absolute release, or are reporting and doing well."⁶ Here again, although the vague and question-begging terms "probable reformation" or "success" are not used, it is one thing for parole officers to *presume* that those about whom they do not hear otherwise are "doing well" and quite another for them to know, by careful, personal investigation, that the men are truly law-abiding.⁷ Further, one would like to know just what "doing well" means. Besides, even to know that men are getting along "well" on parole is still to be without proof that they continue to behave satisfactorily for a reasonable number of years *beyond* the expiration of the supervised parole period.⁸

⁵ *Ibid.*, p. 38.

⁶ *Report of the State Board of Managers of Reformatories*, 1910, p. 30.

⁷ Even reliance on the State's criminal records is not enough, if one wants to get at the truth. See Chapter V, on method.

⁸ Were it not for the seriousness of the problem and the fact that so much propaganda in this field is not founded upon scientific investigation, we should not burden the reader with more illustrations. But the following items are deemed necessary to give a true picture of the unfounded optimism that pervades some fields of criminology:

"The Board [of Managers of the Indiana Reformatory] has every reason to believe, that not less than 75% of those who have been paroled during the last 18 months will become useful citizens of the State, each being an example of the utility of the reformatory and parole systems." — *Biennial Report (1897-1898)*, *Indiana Reformatory*, p. 10.

"The writer has before him letters from the superintendents of many reformatories setting forth their judgment expressed in mathematical terms, as to the proportion of paroled inmates who refrain from recommission of crime, and conduct themselves as good citizens. The data at hand

It is, of course, difficult to resist hazarding some estimate of the percentage of "successes" and "failures" that pass through our peno-correctional institutions. But the careless repetition in standard "criminologies" of the unfounded

show that the highest estimate is 85 per cent, and the lowest is 60 per cent, and that the average is 75 per cent. The writer's experience and observation lead him to believe that after making due allowance for those who may lapse after final discharge, and find their proper place in some prison in a distant part of the country, at least three out of four young men discharged from reformatory institutions refrain from crime and become helpful members of society" (James A. Leonard, Superintendent of the Ohio State Reformatory, in "Reformatory Methods and Results," *Correction and Prevention* series, edited by Charles Richmond Henderson, *Penal and Reformatory Institutions*, 1910, p. 127).

Let us consider several pertinent pieces of "research" which one finds quoted in systematic treatises on "Criminology": W. W. Clark (*Journal of Delinquency*, Vol. VI, pp. 443-52, 1921) is alleged to have "found" that an average of 72% of parolees of nineteen institutions (penitentiaries and reformatories, industrial schools for boys and girls) are "successes." Clark accepted the statements in annual reports and a few superficial local investigations, and averaged the percentages of claimed "successes" on the part of parolees of institutions ranging from schools for delinquent children to penitentiaries for hardened criminals, these reports being of various degrees of reliability and thoroughness, and thus he arrived at his figure! The important factor of post-parole behaviour was evidently ignored, and the parolees were on parole for varying periods of time. Robert H. Gault ingeniously analysed "The Parole System, A Means of Protection" (*Journal of Criminal Law and Criminology*, Vol. V, No. 6, March 1915, pp. 799 et seq.), basing his conclusions on over 38,000 parolees, the information being obtained "by Mr. B. W. Brown, a graduate student in the Department of Sociology in the University of Chicago." Mr. Brown "secured his data by correspondence with state officials and by consulting the most recent state reports." No wonder he and Gault found that 84% of the men "made good"; Gault goes further and assures us: "It seems safe to say, therefore, that 80% of men paroled fulfil the conditions and become law-abiding citizens" (p. 801).

Similar claims, as loosely supported, are made for reform and industrial schools. See Lou, *Juvenile Courts in the United States*, p. 176, who summarizes numerous reports with the statement: "The majority of them claim that from 70 to 80 per cent. of those who pass through the institutions remain in the community with moderate success."

A more modest estimate of reformatory success, though again not founded on verified facts, is made by the Superintendent of the Concord Reformatory, Massachusetts: "The question is sometimes asked: 'What percentage of the men committed to the Reformatory is reformed?' We have no means of answering that question definitely. We know, however, that about 30 per cent are returned to us, and of the remainder, I believe that for every one that fails there is another, at least, who succeeds; and if that belief is well founded then the work of the reformatory justifies itself" (*Annual Report of the Commissioner of Correction [Mass.] for year ending Nov. 30, 1921*, p. 57).

A recent, suggestive study of parole in Illinois (*The Workings of the Indeterminate-Sentence Law and the Parole System in Illinois*, by A. A. Bruce, A. J. Harno, E. W. Burgess, and J. Landesco, Chicago, 1928), though an improvement upon the preceding researches, still suffers from some of the stigmata noted: (1) The raw material was obtained from official records, which, even in Massachusetts, a state that acknowledgedly has among the best criminal records in the country, we have found to be incomplete and unverified. The authors of the Illinois study themselves admit that "were the records more accurate, it is certain that higher correlations" between various factors making for success or failure while on parole "would be secured" (p. 264). The low percentages found by them both of failures on parole (*ibid.*, p. 216) and pre-institutional recidivism (*ibid.*, p. 212) on the part of, not only reformatory ex-inmates, but also those of the state's two prisons, suggest that there was room for a much more thorough tracing down of criminal and parole records. (Compare Chapter V of this book.) (2) No post-parole period was allowed for to test the probable permanence of the result. See also Chapter XVIII, footnote 3.

An Experimental Study of Psychopathic Delinquent Women, by Edith R. Spaulding, New York, 1923, contains only very brief summaries of a follow-up nature, on 44 cases.

claims of annual reports and superficial researches⁹ will never contribute to a true understanding of the problem and only serves to give currency to unverified opinions.

3. *Difficulties of Follow-up Studies*

There are, of course, good reasons why researches of this nature have thus far been unsatisfactory. Studies of the product of society's peno-correctional machinery are beset with numerous difficulties. In the first place, the incompleteness and inaccuracy of official records of both criminal data and social information are deplorable. To accept them at their face value for the purposes discussed is to fall into grave error.

Secondly, pitfalls of method are not easily avoided in studies of this kind. Existing researches, for example, are generally based on the careers of ex-prisoners during a period too brief to afford a reliable basis of conclusion as to the genuineness and probable permanence of the "reformation."

Thirdly, the practice is still widespread of basing research in this field upon records alone, without stopping to consider the human beings who have made the footprints that constitute the records. No personal field investigations of a "follow-up" nature, either of the offender or of his family, have as a rule been made in existing researches, and few if any ex-prisoners themselves have been personally interviewed.¹⁰

Finally, it is extremely difficult to isolate the elements of improvement or deterioration definitely attributable to the institution, from those to be assigned to other forces.

4. *How This Research Differs from Preceding Ones*

The present contribution is based upon a careful investigation into the life histories of all prisoners released from the Massachusetts Reformatory whose sentences expired in 1921 and 1922. There were 510 such men.¹¹ The method of selecting the cases afforded a *five-year post-parole test period* within which

⁹ J. L. Gillin, in *Criminology and Penology*, after a commendably cautious evaluation of claims of alleged "successes" made in annual reports of penal institutions, lapses into careless error when he makes the following unfounded assertion: "If, in addition to this condition of native defect, we consider the bad social conditions in which these boys were raised and the habits which they had formed before coming to the institution [Elmira Reformatory], it cannot be gainsaid that the institution is doing a remarkable piece of work in training such boys so that *only one-third of them* again come in contact with the law" (p. 636). E. H. Sutherland, in *Criminology*, does not fall into this fallacy of careless generalization in the direction of optimism and on the basis of the estimates found in annual reports (pp. 415-16).

¹⁰ *Delinquents and Criminals: Their Making and Unmaking*, by William Healy and Augusta Bronner, New York, The Macmillan Co., 1926, is one of the few exceptions to this rule.

¹¹ All but twenty-seven of these men completed their sentences while on parole in the community; they were released from the institution after serving but a fraction of their possible terms. The twenty-seven men were for various reasons compelled to serve their full sentences in the Reformatory.

to gauge the probable permanence of the reformation or to establish reversion to criminality. The majority of the men, 310 (60.8 per cent), were committed to the Reformatory during the years 1916 and 1917; 14 men (2.8 per cent) entered the institution during the years 1910-12; 22 (4.3 per cent) entered in 1913; 28 (5.5 per cent) in 1914; 32 (6.3 per cent) in 1915; 5 (1 per cent) in 1918; 36 (7 per cent) in 1919; 47 (9.2 per cent) in 1920; and 16 (3.1 per cent) in 1921.

Some indication of the pains that must be taken in gathering the "raw material" upon which studies of this kind are based is afforded by the following facts: Over 90 per cent of the entire group of 510 men studied were located at the end of the five-year period following the completion of their parole—that is, some eight or ten years after their release from the institution. When one considers the great mobility of criminals and the lack of a centralized identification system, the significance of this percentage becomes apparent. The Massachusetts Probation Commission's criminal record file was but one source of information. Finger-print collections were utilized; thousands of letters of inquiry were sent out, following up even the remotest clues to the men; social service confidential exchanges and social agencies were liberally drawn upon for aid both in tracing the men and in rounding out and verifying data as to their careers. Two field agents interviewed a sizable proportion (372) of the ex-inmates of the Reformatory and their relatives, neighbours, and others wherever possible. Only in this way could we approach the true answers to the hitherto baffling questions: *What happens to ex-prisoners; and why?* Chapter V renders full and detailed account of the manner in which the basic materials for this book were assembled and verified.

The statistical schedules and treatment were in general divided into four sections: (1) the history of the youths prior to their sentence to the Reformatory, including certain facts about their family background; (2) the history of the young men while they were in the institution; (3) their parole history; (4) their post-parole history, embracing not only their criminal conduct, but their industrial activities, family life, economic history, use of leisure, habits, and other significant items, over the five-year period following the expiration of parole.

While certain statistical devices were employed, their use was limited to a degree consistent with the basic objectives of the study. Where comparable and reliable statistics for the general population were obtainable, they were of course utilized.

5. Typicality of Findings

A word as to the typicality of the findings. Both the method of selecting the cases studied and a comparison of the mental make-up, age, and prior recidivism of all inmates of the Massachusetts Reformatory during the years 1914-27 with

the incidence of these factors in our group of 510 graduates of the Reformatory establishes the fact that the latter are truly representative of the general "run of the mill."¹²

Whether our men are typical of the population of young men's reformatories in other states, we cannot dogmatically say. The statistics of the different annual reports vary in reliability, in definition of terms, and in data presented. We may hazard the opinion, however, on the basis of examination of annual reports of eight or ten of the leading reformatories in the United States, that the men appear to be essentially similar to ours in age distribution, in prior criminality, in the nature of the offences they commit, and possibly in their mental

¹² The Reformatory psychiatrist has evolved a system of classification of inmates "in terms of mental efficiency," into the three classes, adult, subnormal, and segregable (see annual reports of the Commissioner of Correction). "Mental efficiency is an estimate of intelligence factors (cognitive reflected in what one knows and can express) and of character factors (conative, reflected in what one does and does not do), each weighting the other. The delimitations of the three divisions or groups in mental efficiency are as follows: 'Adult' designates a group whose psychogram shows capability of being producers sociologically without assistance or supervision, i.e., adult-minded inmates could earn an honest living at least, in open competition. Most of these could make progress by study of course. The 'Subnormal' are those who would require assistance or supervision if they earned their keep and the 'Segregable' are those found to be unable, even with assistance or supervision, to maintain themselves, but who need detention and specialized supervision." G. G. Fernald, "The Massachusetts Reformatory and its Psychopathic Laboratory" (manuscript prepared for writers). On the basis of this classification, a study made by the Reformatory psychiatrist of 4080 consecutive cases examined by him during the years 1914-27 gives the following percentages: adult, 48%; subnormal, 40%; segregable, 12%. The distribution among the 510 men studied in this book is as follows: adult, 47%; subnormal, 39%; segregable, 14%. Thus as to this form of classification of mentality and behaviour, our men are typical of the general run of the Reformatory. In more recent years the percentages in the subnormal and segregable classes have been somewhat reduced owing to the establishment of a special institution for "defective delinquents."

In terms of social-psychiatric diagnoses ("diagnoses or varieties of deviation," as they are designated by the institution psychiatrist) our 510 men are again quite typical: Thus of the 4080 men examined by the psychiatrist during the years 1914-27 (of these 85 remained unclassified) 56.5% were designated as being "behavior problems"—that is, not presenting observable psychiatric or psychological abnormalities; 11% were designated as psychopaths; 1.8% as epileptics; 1.5% as congenital syphilitics; 4.9% as sex offenders; 1% as psychotics; 22.7% as morons; and .6% as imbeciles. The distribution among the 510 men studied in this book (of these 172 were unclassified by the Reformatory psychiatrist) was as follows: 54% were designated as behaviour problems; 15% as psychopaths; 1.5% as epileptics; .6% as congenital syphilitics; 4.1% as sex offenders; 1.1% as psychotics; 23.1% as morons; .6% as imbeciles.

From the point of view of age distribution our 510 men are also typical of the run of the mill. Thus, taking the age distribution of prisoners sentenced to the Reformatory in the year 1925-26 as a sample, it is found that 53.6% were 20 years or under, 28.7% were 21 to 25, 12.1% were 26 to 30, and 5.6% were over 30. The age distribution of our 510 men was essentially similar—namely: 60.3% were 20 or under, 27.1% were 21 to 25, 10% were 26 to 30, and 2.6% were over 30.

While the number of stated pre-Reformatory offences committed by inmates of the Reformatory is less than the number found by us to have been committed by the 510 men studied, this is due to the fact of the thoroughgoing search made for the records of the 510 men. Were a similarly painstaking investigation made into the pre-Reformatory records of the population of the Reformatory at any time, there is not the slightest doubt that their pre-Reformatory records would be similar to those of the 510 men actually studied. But even without such thorough-

make-up, so far as the statements of annual reports on these items may be accepted at their face value. As to the last-mentioned factor, varying psychological tests employed in different institutions make it impossible to compare the results. Then, too, psychologists and psychiatrists are of different degrees of skill. A third difficulty is that the selective processes operative before offenders are sentenced to a reformatory (schools, clinics, special schools for the feeble-minded, and, in two or three states, special institutions for "defective delinquents") vary widely. It can only be said, then, after attempting a detailed statistical comparison of numerous factors that there are sufficient suggestive clues to enable one to recognize the inmates of reformatories throughout the country as old and familiar friends. We must again warn the reader, however, that this is but a strong impression, not an established fact. Let the local penal administrator answer the question of typicality for himself, after reflection upon the material herein presented and upon his own experience.

It might be mentioned that the distinctions between at least certain reformatories and certain state prisons are gradually being wiped out. The age distribution of inmates of prisons is of course higher than that of reformatory inmates, but not nearly so much higher as one would suppose.¹³ A number of the rehabilitative or less repressive devices of the reformatory have been adopted in some prisons, while several of the repressive, not to say mediæval, devices of the typical prison or "penitentiary" have been taken over by so-called reformatories.

Is the Massachusetts Reformatory regime typical of that of reformatories in other states? Here, again, it is better to err on the side of caution. Without personal study of other institutions we hesitate to dogmatize. This much may, however, be hazarded: Most reformatories depend essentially on the same devices to bring about reformation. They employ the instruments of rehabilitation mentioned at the outset¹⁴ — a system of physical, mental, and (to a

going investigation, the annual reports show that about half the men admitted to the Reformatory during any fiscal year had served prior sentences in institutions ranging from reform and training schools to state prisons, appreciable numbers of them having served more than one prior sentence. (See, for example, *Annual Report of the Commissioner of Correction for the Year ending November 30, 1926*, p. 34). This high incidence of former commitments does not of course include other judicial dispositions, such as probation, fine, etc. This bears out our findings as to the pre-Reformatory criminality of the men (see Chapter VIII).

There is but little doubt, therefore, that so far as concerns such factors as psychiatric designation, age distribution, and prior recidivism, the items as to which comparable data exist, the sample of 510 men upon which this study is based is typical of the general run of the mill of the Massachusetts Reformatory.

¹³ According to the Federal Census (cited by Sutherland, *Criminology*, p. 91) the median age of those committed to penal institutions for a year or more was around 28, while that of those committed for less than one year was around 34. "While 99.6% of the persons admitted to the State reformatories of New York were under 30 years of age, 69% of those admitted to the state prisons were under 30 years of age" (Sutherland, *op. cit.*, p. 412).

¹⁴ See also Chapters II and III, where the history, aims, and practices of the Reformatory regime are set forth.

lesser extent) moral education. Here and there an institution may of course over-emphasize one of these instrumentalities, such as military drill; another reformatory may stress a different device — trade or academic school; occasionally a “reformatory” is in spirit and regime a prison. Types of industrial activity in different reformatories also vary; and institutions differ in the matter of prison wages.

On the whole the directive personnel of reformatories are men of practical experience (occasionally natural leaders) who have worked up from the ranks or have won political appointment, without special educational or technical qualifications for the job.¹⁵ Sometimes a physician superintends a reformatory. It is well known that the rank and file of reformatory officers are in general not particularly qualified, by experience, education, or point of view, for reformatory work. Exceptions to this rule are sometimes found in special personnel, such as trade or academic teachers, and individual officers who are inspired by the possibilities of true reformatory effort.

We have been informed by various practical prison administrators that the Massachusetts Reformatory is, if anything, above the average in both efficiency and personnel.

6. Plan of Presentation

A summary of the course of the following pages will give the reader a bird's-eye view of the ramifications of this study. The next chapter, which is concerned with the history and aims of the reformatory movement, was found to be necessary because existing histories were incomplete and in some respects inaccurate. Chapter III is a sketch of the Massachusetts Reformatory regime and parole system. Chapter IV comprises “a sheaf of lives,” its object being to introduce to the reader a number of typical ex-prisoners of the Reformatory and to familiarize him with the raw material upon which the statistical treatment of the subject is based. Chapter V is a detailed account of the method used in tracing the ex-offenders and verifying their life histories. The technique for this work had to be specially developed for the purposes of this research. It should prove of value in future undertakings of a similar nature.

Chapters VI, VII, VIII, IX, X, XI, XII, and XIII are statistical analyses of the characteristics of our group of ex-prisoners considered *en masse*. Thus, Chapter VI treats of their family background; Chapter VII is concerned with the social setting of the offenders themselves, before their commitment to the Reformatory; Chapter VIII deals with their delinquency and criminality prior to their sentence to the Reformatory. Chapter IX considers the institutional life of the prisoners and their reactions to the Reformatory regime; Chapter X analyses their activities during the parole period. Chapters XI, XII,

¹⁵ The high quality of directive personnel of European penal institutions is frequently commented upon by visitors.

and XIII comprise a detailed consideration of the significant subject — the careers of our ex-prisoners during the five-year period following the expiration of their parole. The first of these chapters is devoted to the criminal activities of the men, the second to their industrial experiences and economic status, the third to their family life, their habits and use of leisure.

In Chapter XIV the degree of relationship is established between the post-parole criminal conduct of the men and their status in industry, the meeting of economic obligations, family life, and use of leisure. Chapter XV consists of a comparison of the social and personal factors in the lives of the men prior to their sentence to the Reformatory, the cases being divided for this purpose into those in which some improvement in conduct was effected by the Reformatory and those in which no such good result was apparent. The object of this comparison is to determine which factors appear to facilitate and which to hamper the reformative process.

In Chapters XVI and XVII each of some fifty factors in the life histories and personalities of our criminals is in turn related to their post-parole behaviour with respect to criminality. This is accomplished by means of valid yet relatively simple statistical devices. The object of this procedure is to discover the factors which are most significantly related to the recidivism of the men following the expiration of parole.

Utilizing the findings of Chapters XVI and XVII, the next chapter is concerned with the very important problem of scientific method in the administration of criminal justice. Its aim is to point the way to the employment of prognostic tables which might enable judges and parole boards to dispose of criminal cases in the light of scientifically objectified experience. A number of illustrations of predictive tables based on the life histories of our Reformatory graduates are presented.

In Chapter XIX the ex-prisoner himself expresses opinions of the Reformatory and parole. Too often in the past has his voice been ignored.

Chapter XX is concerned with the more fundamental conclusions and recommendations suggested by the research, and the appendices comprise various types of supporting and explanatory data.

CHAPTER II

HISTORY AND AIMS OF THE REFORMATORY MOVEMENT

"The object of all is nearly the same, viz. to urge the superiority of *moral influence* to *physical coercion*, where intelligent beings are to be controuled or guided; — or, in other words, to recommend that it be sought to restrain men rather by making virtue easy, and good conduct pleasant, than merely by making vice difficult, and misconduct painful." Captain Maconochie, R.N., K.H., *Thoughts on Convict Management, and other subjects connected with the Australian Penal Colonies*, 1838, p. ii.

1. Obermaier, Montesinos, Maconochie

The reformatory motif has long characterized American penology in certain forward-looking communities. Thus, as far back as 1825 the first American "reformatory" for juveniles was opened on Randall's Island in New York,¹ to be followed soon thereafter by the one in Boston. These early institutions had some of the essentials of the modern adult reformatory.² They gave rise to a state-controlled and state-financed reformatory school at Westborough, Massachusetts, in 1847, which initiated the movement for special correctional-educational institutions for juvenile delinquents throughout the United States.

But these institutions for juveniles were not the only influence³ in modifying

¹ *Documents relative to the House of Refuge instituted by the Society for the Reformation of Juvenile Delinquents in the City of New-York, in 1824, etc.*, New York, printed by Mahlon Day, 376 Pearl Street, 1832.

² "In every house of refuge the inmates are divided into good and bad classes. Their conduct makes the children pass from one into the other. The good classes enjoy privileges which the bad ones are denied; and the latter are subject to privations which the former have not to undergo.

"Eight hours, at the least, are assigned every day to labour in the workshops, where the children are occupied with useful arts, such as shoemaking, joiner's work, cloth-making, carpenter's work, &c. Four hours daily are spent in the school. After rising, and before going to bed, prayers are offered. Three meals take half an hour each; in short, there are about fifteen hours of the day occupied with study, labour, &c., and nine hours with rest." — DeBeaumont and de Toqueville, *On the Penitentiary System in the United States*, p. 115. (Compare Chap. III.)

³ Mr. Zebulon R. Brockway, generally regarded as the originator of the American adult reformatory system, explicitly denied, according to Robinson, that "he in any way drew on the institutions for juvenile delinquents for suggestions as to principles and procedure" (Louis N. Robinson, *Penology*, p. 122, foot-note). However this may be, it cannot be gainsaid that the fact that juvenile reformatories had long existed and had apparently been accepted without question by the public as an improvement over the old regime probably made it easier favourably to influence the legislatures that first considered the adult reformatory idea.

The adult Reformatory at Concord, Massachusetts, admittedly traces one of its roots to the success of the Massachusetts juvenile reformatories. See J. F. Scott, "The Massachusetts Re-

aim and method in the direction of greater leniency and more constructive management of adult offenders. Accounts of certain historically important experiments in the intelligent treatment of adult offenders abroad soon trickled into the dense stream of American prison literature of the middle and the third quarter of the nineteenth century. These descriptions were definitely to influence the origin and development of the American adult reformatory. They set forth the work and aims of such European prison reformers and practical penologists as Obermaier in Bavaria, Montesinos in Spain, Maconochie in Australia, and Sir Walter Crofton in Ireland. The contributions of these penological pioneers are important.

In 1830, Obermaier became governor of the prison at Kaiserlautern, Bavaria, and there began to experiment with his ideas of prison improvement.⁴ When in 1842 he took charge of the prison in Munich, he found some six to seven hundred prisoners chained together, weighted down, sullen and insubordinate, and guarded by a hundred soldiers distributed throughout the institution. Obermaier soon had the chains struck off, discharged almost all the guards, appointed inmate superintendents over the shops, and is alleged to have won the confidence of the men completely and to have reformed most of them permanently. He was much aided in his work, first, by the fact that many prisoners at that time were sentenced for an entirely indeterminate instead of a fixed term and, secondly, by the existence of a system of strict supervision of ex-convicts supplemented by the work of a number of prisoners' aid societies which assisted in the extra-mural rehabilitation of ex-prisoners.⁵

Colonel Manuel Montesinos, Spanish penal reformer, organized the inmates of his prison at Valencia, in 1835, into military companies, with inmates as inferior officers. A great believer in industrial training as a means of reformation, he set up as many as forty trades which the inmates might learn in his institution. He also created a school with compulsory attendance for inmates under twenty. He conducted the institution with but a few old soldiers as guards.

As in Obermaier's experiment, so in that of Montesinos much depended upon the personality and attitude of the prison administrator. The system of the latter, however, gained a good deal of its strength from the fact that a law existed enabling the inmates to reduce through good behaviour their period of incarceration by one-third. With the repeal of this law the system broke down and Montesinos resigned. In spite of this failure Montesinos must be credited with being one of the first practical prison reformers to recognize the all-important need of the "personal touch" in penal administration, as it has

formatory," in *The Reformatory System in the United States, Reports prepared for the International Prison Commission*, S. J. Barrows, House of Representatives Document No. 459, 1900, p. 80.

⁴ B. Obermaier, *Anleitung zur vollkommenen Besserung der Verbrecher in den Strafanstalten*.

⁵ For a good account of the contribution to penology made by Obermaier, see Wines, *Punishment and Reformation*, new ed. by Lane, p. 202, and the *Twenty-Fifth Annual Report of the Executive Committee of the Prison Association of New York*, 1869, pp. 380-381.

since been recognized in other forms of social work. "What neither severity of punishments nor constancy in inflicting them can secure," he observed, "the slightest personal interest will obtain."⁶

In 1840 Captain Alexander Maconochie, of the Royal Navy of England, was made superintendent of the penal colony at Norfolk Island, Australia. At that time there were two stages of punishment in England: the peno-reformatory regime at Pentonville, instituted in 1842, to which prisoners were subjected for an eighteen-month period of separate confinement, and the subsequent period served in exile in Australia. The "ticket-of-leave" system of conditional release, somewhat analogous to our parole system, was first instituted in the Australian penal colony. Transportation followed by release on ticket-of-leave constituted a reward for good behaviour in the Pentonville prison.⁷ The worst convicts seem to have been transported to Norfolk Island, Australia, some two-thirds of the prisoners there settled having been doubly or trebly convicted of new offences committed there while serving sentence of transportation for a conviction in England. Many of the men, the "refuse of the other Colonies,"⁸ "were given up to murder and all unnatural crimes." Mutinies abounded. Punishments were horrible in the extreme.⁹

At this veritable hell-hole Captain Alexander Maconochie, who had already indicated by his writings¹⁰ that his ideas on convict management were both constructive and practical, arrived in 1840. He instituted a series of reforms which attracted the attention of liberal-minded penologists in England and ultimately in America. The outstanding one was the so-called "mark system" which Maconochie had earlier (1837) proposed to the Transportation Committee of the House of Commons.¹¹ Each prisoner, upon entrance, was debited with a

⁶ Quoted by Wines, *op. cit.*, p. 201. Original reports of the work of both Montesinos and Obermaier are difficult to obtain in American libraries.

⁷ Originally transportation was deemed more severe than imprisonment, but gradually "it came to be believed that servitude in a public works prison was more severe than transportation, as is proved by the fact that four years in such a prison was made the equivalent of seven years' service in Australia." Finally transportation came to be regarded as a reward for good conduct while in prison. Wines, *op. cit.*, pp. 189-90.

⁸ Captain Maconochie, R.N., K.H., *The Mark System of Prison Discipline*, London, 1855, p. 13.

⁹ Captain Maconochie, R.N., K.H., *Comparison between Mr. Bentham's Views on Punishment, and those Advocated in Connexion with the Mark System*, p. 6; *The Mark System of Prison Discipline*, 1855, p. 12; and Captain Maconochie, R.N., K.H., *The Mark System of Prison Discipline*, 1857, p. 3.

¹⁰ Captain Maconochie, R.N., K.H., *Thoughts on Convict Management, and Other Subjects connected with the Australian Penal Colonies*.

¹¹ *The Mark System of Prison Discipline*, 1855, p. 13; *The Mark System*, etc., 1857, p. 4. The idea of the mark system had occurred to Maconochie when he was at the Van Diemen's Island prison colony, where he had been "much shocked by the intense wickedness and profligacy" he found prevalent there (*The Mark System*, etc., 1855, p. 12). "It seemed to me fearful so to abandon thousands — men, women, and children — to increasing and ever increasing ruin, without at least making an effort to save them; and it occurred to me that one sentiment, apparently common to them all, might be employed for the purpose. This was their passionate desire to regain their freedom, or even make a definite approach towards it. For this they familiarly en-

certain number of marks depending upon the gravity of the offence. By good conduct these marks were redeemable at a certain daily rate until the debt was paid off. Only then could the prisoner be considered for conditional release. This was the beginning of the American system of commuting sentences for good behaviour. But in Maconochie's scheme the daily redemption of marks could be utilized by the prisoner, not only in bringing about his earlier release, but as a credit for food and supplies. This feature afforded an opportunity to inculcate thrift, self-respect, and a sense of relative values.¹² The use of marks as a sort of coin of the realm does not exist in American reformatories, although the other characteristics of the mark system constitute one of the important features of the modern adult reformatory. In Maconochie's system, as in the contemporary adult reformatory, marks were earned by satisfactory labour, good conduct, progress in studies.

With but partial approval of the scheme and despite considerable limitation upon his own powers,¹³ Maconochie instituted the mark system as described

countered the greatest hardships and dangers; and why, I argued, might this not be made to sustain virtue as well as elicit courage? The first difficulty was to graduate conduct, as well as its reward, so that the latter might stimulate daily, and not merely occasionally, — and this gave me the first idea of Marks: these being gained by good conduct, and their accumulation conducting to liberty, it was obvious that they would soon be greedily coveted as wages; these again would immediately raise the men above the demoralizing condition of slavery in which they were otherwise plunged; their forfeiture for misconduct would supply the place of lashes for minor offences; their convertibility, at the prisoner's own will, into immediate indulgences, thereby however prolonging detention, would further promote and prove steadiness and self-denial; and, in a word, the whole scheme appeared to me pregnant with infinite moral good" (*The Mark System*, etc., 1857, pp. 3-4).

¹² "The fundamental principle of the mark system is . . . to assimilate the condition of a prisoner under penal sentence as closely as possible to that of a debtor required to be imprisoned, or otherwise detained, till his debt is paid. The only currency proposed to be received is labour, the poor man's capital, and which still more emphatically should be the only capital of the criminal. But for convenience sake a representative of this labour under the name of marks (but which may be money or any other) was used in the daily assignment of wages, in charges for food, clothing, and other supplies, and in the imposition of fines for occasional misconduct, — which last deductions were required to be made good, over and above the original sentence, before liberation could be granted" (*Comparison*, etc., p. 7).

¹³ Such, for instance, as his lack of authority to discharge men from Norfolk Island no matter how many marks they had earned, in spite of the fact that the system essentially depended upon this power to make good his promises to the prisoners (*The Mark System*, etc., 1855, p. 13). Then there were the familiar attacks that high priests of the *status quo* make upon men of ideas and nobler sentiments: "The strong prejudice that then existed in all the Penal Colonies against even the object at which I aimed (the improving the Prisoners, raising their moral, and thus progressively perhaps their social position) — the jealousy with which, accordingly, my proceedings were watched — the misconceptions, misconstructions, and even direct misrepresentations to which they were thus subjected — the caution approaching even at times to indecision, with which I was thus forced to proceed" (*The Mark System*, etc., 1855, p. 23). Maconochie was ultimately removed from authority by the powers that were, and after a brief period in charge of the Borough Prison of Birmingham, he was removed as Governor by the Magistrates who objected not to any "act of either disobedience or neglect," but to his "abstract opinions" (Captain Maconochie, R.N., K.H., *On Reformatory Discipline in County and Borough Prisons*, p. 2).

above, and, largely as the result of this more rational approach to the penological problem, he "found Norfolk Island a hell, but left it an orderly and well-regulated community."¹⁴

2. *The Irish System*

The mark system was taken over by Sir Walter Crofton, who some time later (1854) became Chairman of the Directors of Irish Convict Prisons.¹⁵ Miss Mary Carpenter, an able penal reformer of the last century, has accurately expressed the nature of Crofton's contribution to penology and its relation to those of other prison reformers whose experiments have already been described:

"Sir Walter Crofton has never laid claim to any originality in the conception or development of the system. The principles he has worked on have independently been the basis of successful action by Montesinos, in Spain, by Obermaier, in Germany, by all, everywhere, in greater or less degree, who have successfully reformed criminals, and, chief of all, by Captain Maconochie, who not only grasped the principles, but showed how they might be carried out by the machinery of marks; and, in the face of the greatest possible obstacles, demonstrated the marvellous power of his system to improve the most apparently hopeless. But none of these reformers had so worked out and developed a system as to prove the applicability of their principles to ordinary prison discipline. . . . Sir Walter Crofton is the first and the only one who has embodied all the highest principles in a complete system; who has so arranged this system in all its details, as to make it comprehensible to ordinary minds, and to enable it to be easily worked by any persons who are trained to obedience to duty."¹⁶

When Sir Walter came to the Directorship of prisons in Ireland, the English penal system included three stages — namely, solitary confinement for a certain period, then labour in association, and finally transportation or, after the abolition of the last, release in England on "ticket of licence." Crofton added another stage to the existing two grades of imprisonment. As this experiment was very important for penology and has been but imperfectly described in modern criminological literature, it may be discussed in some detail.

In the *first* stage of Crofton's system, imprisonment was solitary, in a cellular prison, for a period of eight or nine months of the sentence, its precise length depending upon the conduct of the offender. During the first half of this period the convict was on a reduced diet, and without "interesting employment."

¹⁴ *The Mark System*, etc., 1857, op. cit., note, p. 5. *On Reformatory Discipline*, etc., notes, pp. 22-31.

¹⁵ See Mary Carpenter, *Reformatory Prison Discipline as Developed by the Rt. Hon. Sir Walter Crofton, in the Irish Convict Prisons*. For an excellent contemporary account by an American prison administrator of note, see G. B. Hubbell, *Report on the Prisons of England and Ireland*, Prison Association of New York, 1867, pp. 95-196, especially pp. 147 et seq.

¹⁶ Mary Carpenter, *On Prison Discipline in India*, p. 1. See also *Reformatory Prison Discipline*, etc., by the same author, p. 2.

"By the end of three months of the first stage," said Crofton, "the idler will generally have learned to associate industry with pleasure."¹⁷ In this first stage the convict was supposed to learn "the whole bearing of the 'Irish Convict System' by means of scholastic instruction" — that is, to learn that he could reach the so-called "Intermediate Prisons" (a special feature and third stage) only "through his own exertions, measured by marks in the second stage of the system."¹⁸ At the end of this preparatory period, the prisoner was transferred to a special prison to work "on the fortifications," if a labourer, or "to Philipstown, to be employed at his trade," if a tradesman.

In the *second* stage there were four grades; passage from or to one or the other of these was dependent (as in the modern American reformatory) upon the number of marks earned or lost within certain periods of time as the result of conduct, progress in school, and industry. When a convict reached the highest grade, he was employed "on special works, was kept apart from the other convicts," and had evening-school instruction and lectures.

In the *third*, or "intermediate" stage, which constituted the most essential contribution of Crofton, there was no mark system. This stage was the testing-ground of the convict before his release on ticket-of-leave.¹⁹ Those who regard "individualization" as a very recent penological principle will be surprised to learn that in the middle of the nineteenth century it was used in the Irish system. In Crofton's words, "'Individualization' is the ruling principle in these establishments (those of the third stage); the number of inmates should, therefore, be small, and not exceed 100."²⁰

Crofton thus describes one of these "establishments":

"The training is special, and the position of the convict made as natural as is possible; no more restraint is exercised over him than would be necessary to maintain order in any well-regulated establishment. At 'Lusk Common,' within fifteen miles of Dublin, there is an Intermediate Establishment for employing convicts in the reclamation of the land, and for carrying out principles which have proved so beneficial to themselves and to the public.

"The officers in the Intermediate Establishments work with the convicts.

"At 'Lusk' there are only six, and they are unarmed. Physical restraint is therefore impossible, and if possible, it would be out of place, and inconsistent with the principles which the establishments were instituted to enunciate.

¹⁷ Carpenter, *Reformatory Prison Discipline*, etc., p. 6.

¹⁸ Ibid.

¹⁹ Ibid., pp. 2-3.

This important contribution to penological practice — the use of progressively more complex and unsupervised environments as a means of gradually easing the offender into the normal, free environment — was later unfortunately abandoned. In America it has particularly been urged and to some extent practised by Dr. Charles Bernstein, the superintendent of the institution for mental defectives at Rome, New York.

²⁰ Op. cit., p. 10.

1st. You have to show to the convict that you really trust him, and give him credit for the amendment he has illustrated by his marks.

2nd. You have to show to the public, that the convict, who will soon be restored to liberty for weal or for woe, may upon reasonable grounds be considered as capable of being safely employed."²¹

A definite time-schedule of fractions of the maximum sentence to be served in the institution was provided for. Thus, the shortest periods of imprisonment of one sentenced to not more than five years, were three years and six months in the ordinary prisons and six months in the intermediate prison, the balance being "remitted on licence." The terms of a person sentenced to not over fifteen years' imprisonment were eight years in ordinary prisons and two years in intermediate prisons, the balance of five years being remissible on licence.²²

As we look back on Crofton's system today, its chief weakness seems to have been the failure to provide personal and intimate supervision such as is given in social case work or by specially trained parole officers, of which there are only a few. Instead of this, supervision was carried on by the police, who seemed interested largely in getting recidivists promptly re-arrested and re-convicted.²³ Thus the activity of the police was in danger of deteriorating into a "hounding" of ex-prisoners, rather than being a helpful supervision. The men on licence were required to report regularly to the police, as is still the practice in a number of Continental countries.

3. *American Adoption of Reformatory Aims and Methods*

We are now in a position briefly to summarize the contributions to penological theory²⁴ and practice made by the three outstanding prison reformers whose systems have been described—contributions which considerably influenced, if indeed they did not initiate, the American reformatory movement, and which have partially or completely entered the modern reformatory regime. These contributions are: (1) the mark system, together with the practice of reducing sentences because of good behaviour, and the encouragement to individual effort thus implied; (2) the indeterminate sentence;²⁵ (3) classification of prisoners on the basis of their conduct in the institution; (4) an approach to the theory and practice of paying prison wages; (5) military

²¹ Ibid., pp. 10-11.

²² Ibid., pp. 8-9 and chart attached thereto.

²³ Ibid., p. 17.

²⁴ The general idea that the prison discipline system should be of a "curative," rather than punitive, type was suggested by Charles Lucas, in two works, *The Penitentiary Systems of Europe and America* (1828) and *The Theory of Imprisonment* (1836), but the idea was not vitalized and put into practice until Montesinos, Maconochie, and Crofton entered upon the scene.

²⁵ Maconochie denied that his system was founded upon the ideas of Archbishop Whately of Dublin, or of Livingston, the learned author of the Criminal Code for Louisiana, both of whom suggested the concept of indeterminate incarceration (*The Mark System*, etc., 1857, note, p. 7).

drill, trade-training, and academic education as means of rehabilitation; (6) the practice of subjecting the offender to progressively more complex and free environments (a) as preparation for ultimate release in a completely unsupervised environment, and (b) as a test of reformation;²⁶ and (7) release on "ticket of licence," the forerunner of parole.²⁷

Moreover, the germs of some of the most advanced penological programs of today are traceable to practices instituted by Maconochie, that wise experimenter in human reorientation, and to Sir Walter Crofton. Among these is the practice of Crofton which foreshadowed one of the advantages derivable from the much-vaunted "cottage system" of prison architecture. Crofton subdivided the prisoners in the last stage of imprisonment "into smaller parties, or families, as may be agreed to among the men themselves, with common interests," thus approximating the social situation outside of prison. Here also may be mentioned the far-sighted work of Crofton (superior to much that is done in America today) in obtaining employment for his ex-prisoners, through education of employers,²⁸ Maconochie's reforms, including methods of combating vice, his institution of religious teaching by the principal denominations, employment of music, "in the softening influence" of which he had "much confidence," the practice of permitting the men to have gardens, his encouraging the most friendly and frank relations between the prisoners and himself, and even a rudimentary self-government or "prison democracy" system, for which American penologists have been claiming so much credit.²⁹

By 1860 the old Pennsylvania prison system, with its solitary confinement by day and night, its lack of organized industrial and recreational regimes, its emphasis on solitary reflection and barren, conventional religious devices of reformation, was being widely attacked in America as ineffective, though it still boasted of strong adherents on the Continent. The Auburn system of isolation at night combined with congregate labour in silence by day had gradually been recognized in this country as an improvement over the older regime, because of its greater adaptability to large-scale manufacturing methods (as if the chief aim of a prison is to manufacture articles rather than remake

²⁶ Even in the first stage of the Irish system, ingenuity in gradually relaxing discipline and increasing inmate responsibility was evident. "At first the seclusion is absolute and complete, except . . . at exercise, worship and instruction; and even at such times, all communication is inhibited. After a while, the cell door is thrown open a part of the day, while the prisoner is at work, then all day. This slight approach to society is felt to be a great privilege, and is forfeited and withdrawn for any misconduct" (Hubbell, op. cit., p. 151).

²⁷ The idea of release on parole seems to have been put forward as early as 1791 in a report by Mirabeau, who advocated, not only conditional release and aid to discharged prisoners, but also the practice of giving rewards under a mark system (Ruggles-Brise, *The English Prison System*, London, 1921, p. iv). It was also urged by the French publicist Bonneville de Marsangy. See his "Report on the Prisons of France" in the *Twenty-third Annual Report of the New York Prison Association*, pp. 141 et seq., and his writings therein referred to.

²⁸ *Reformatory Prison Discipline*, etc.

²⁹ *The Mark System*, etc., 1857, note to p. 4.

human beings!) and because there is less danger of physical and moral deterioration of prisoners under that system than in complete isolation.

But American penal philosophers and administrators were dissatisfied with both the Auburn and the Pennsylvania regimes. It seemed to them that penal institutions should aim to make good citizens rather than to make money for the State. Between 1865 and 1869 Mr. Frank B. Sanborn of Massachusetts, and Messrs. Wines, Dwight, and Hubbell of the Prison Association of New York, the most imaginative and constructive prison workers that America has produced, sang the praises of the Irish System in a series of papers published in the annals of the Massachusetts and New York prison associations.³⁰ Other prison reformers, including Mr. Zebulon Brockway, who was to be the first superintendent of the first American adult reformatory (Elmira, New York), were also influenced by reports of the efficiency and common sense of the Irish system and of the experiments on which it was based. Thus Mr. Brockway, in a paper in the *Twenty-sixth Annual Report of the New York Prison Association* (1870), enunciated what was probably the basic principle of the Irish system when he said: "No man, be he judge, lawyer or layman, can determine beforehand the date when imprisonment shall work reformation in any case . . . therefore, . . . sentences should not be determinate, but *indeterminate*."³¹ This and earlier demands for the indeterminate sentence were made a short time after there had appeared in the *Twenty-second Annual Report of the Prison Association of New York* an excellent detailed account of the operation of the Irish system, by Gaylord B. Hubbell, an active member of the association and former warden of Sing Sing prison.³² He concluded his elaborate report with a vivid comparison between the passage of a convict through a New York prison and his progress through the Irish system. His report ends with these words:

"I respectfully ask the gentlemen of the Executive Committee [of the New York Prison Association], the members of the Legislature and the

³⁰ See G. B. Hubbell, "Report on the Prisons of England and Ireland," in the *Twenty-second Annual Report of the Executive Committee of the Prison Association of New York*, 1867, pp. 95, 147-96. "Report on the States Prisons and Penitentiaries of New York," containing the testimony of Sanborn, Hubbell, and others on the Irish system and its adaptability to American conditions, before Commissioners Dwight, Wines and others, commissioned by the New York Prison Association and empowered by the New York Legislature to take such testimony. *Ibid.*, pp. 196, 353, 355-7, 384, 408-11. See also the letters from Miss Mary Carpenter and Sir Walter Crofton to Dr. Wines in the *Twenty-third Annual Report* (1867) of the New York Prison Association, pp. 255-60.

³¹ P. 54.

³² *The Twenty-second Annual Report of the Executive Committee of the Prison Association of New York* (1866), pp. 95-196, "Report on the Prisons of England and Ireland." See especially pp. 147 et seq. This section of the report is introduced in these words: "Leaving the English penal servitude prisons, with this rapid and brief survey, we turn now to the Irish system of convict discipline; and, truly, it is like finding, in the midst of a dreary desert, some beautiful oasis, which at once charms the eye and refreshes the mind with its landscape of sparkling fountains and living verdure."

people of the State, to look upon these two pictures, and say which of them is the more pleasing; and then judge of the comparative excellence and value of the two systems, by which they are severally produced.”³³

In 1868 the Legislature of the State of New York had before it a bill for the appointment of a commission to select a site for a new prison; and after hearing accounts of the excellence of the European experiments in penology the legislature amended the bill, at the instance of the New York Prison Association, so as to designate the new institution a “reformatory.” In 1869 the commission reported in favour of making sentences to the new reformatory “substantially reformation sentences”; that is, they proposed that “when the sentence of a criminal is regularly less than five years, the sentence to the Reformatory shall be until reformation, not exceeding five years.” The act establishing the Elmira Reformatory became law, but prisoners were not received at the new institution until seven years later. At the first meeting of the American Prison Congress, held in Cincinnati in 1870, Mr. Brockway, then superintendent of the Detroit House of Correction, presented a famous paper on an advanced prison system, in which he urged the indeterminate sentence.³⁴ Another representative spoke in favour of the “intermediate prison” idea.³⁵ Mr. Sanborn’s paper raised the entire question of whether the Irish system, and particularly its ticket-of-leave feature, should not be completely established in America,³⁶ and Sir Walter Crofton himself contributed a paper on “The Irish System of Prison Discipline.”³⁷

In the epoch-making “Declaration of Principles” of that historic congress are expressed the beliefs that “the supreme aim of prison discipline is the reformation of criminals, not the infliction of vindictive suffering,” that “the progressive classification of prisoners, based on character and worked on some well-adjusted mark system should be established in all prisons above the common jail,” and that “peremptory sentences ought to be replaced by those of indeterminate length.” It was further declared that “a system of prison discipline, to be truly reformatory, must gain the will of the convict,” and that “the most valuable parts of the Irish prison system are believed to be as applicable to the United States as to Ireland.”³⁸

That the leaders of the newly-organized National Congress on Penitentiary and Reformatory Discipline (now the American Prison Association) were

³³ *The Twenty-second Annual Report of the Executive Committee of the Prison Association of New York* (1866), p. 196.

³⁴ “The Ideal of a True Prison System for a State,” *Twenty-sixth Annual Report of the Executive Committee of the Prison Association of New York, and Accompanying Documents, for the Year 1870, to which is appended the papers and proceedings of the National Congress on Penitentiary and Reformatory Discipline* (1870), pp. 38, 54.

³⁵ “District Prisons under State Control for Persons convicted of Minor Offences: Size, Organization, and Discipline suited to them,” by Rev. A. G. Byers, *ibid.*, pp. 219, 230.

³⁶ “How Far is the Irish Prison System Applicable to American Prisons?” *Ibid.*, 406, 412-13.

³⁷ *Ibid.*, pp. 66-74.

³⁸ *Ibid.*, pp. 541 et seq.

thoroughly conversant with the best penological practices on the Continent is indicated in the more detailed paper of the Committee on Arrangements on which the Principles were based. Frequent references are made therein to the contributions, not only of Maconochie and Crofton, but of Montesinos and Obermaier, and of prison reformers in Russia and elsewhere.³⁹

Under the act passed in 1869 the "Elmira Prison" was built. In 1876 it was ready for reception of prisoners, and the board of managers elected Mr. Brockway as the first superintendent. It received its first inmates from the state prison at Auburn. Brockway introduced a regime which combined the principles of marks, grades,⁴⁰ industrial and academic education, military drill, the indeterminate sentence, and release on parole.

It will thus be seen that there was little, if anything, new in the Elmira regime. "The great underlying thought in that institution," according to Wines's enthusiastic conception, "is that criminals can be reformed; that reformation is the right of the convict and the duty of the State; that every prisoner must be individualized and given the special treatment adapted to develop him in the point in which he is weak — physical, intellectual, or moral culture, in combination, but in varying proportions, according to the diagnosis of each case . . . that no other form of rewards and punishments is so effective, in so many instances, as transfer from one class to another, with different privileges in each; but that the supreme agency for gaining the desired co-operation on his part is power lodged in the administration of the prison to lengthen or shorten the duration of his term of incarceration. The other great thought, here insisted upon as nowhere else in the world, is that the whole process of reformation is educational; not meaning by that term the injection of information without assimilation, but the drawing out to its full natural and normal limit of every faculty of the body, mind, and soul of every man who passes through the institution. This is accomplished by all sorts of athletic training; shop work, military drill, gymnastics . . . baths, massage, and diet; but all sorts of intellectual discipline as well, including not merely class instruction and the hearing of lectures on subjects in which prisoners most need instruction, but also systematic reading under direction, and examination upon the books read; writing for the . . . prison weekly which circulates instead of the ordinary daily newspaper within the walls; and debate, in the presence of a teacher who guides and moderates the discussion. Trade instruction is made prominent. The aim of the institution is to send no man out who is not prepared to do something well enough to be independent of the temptation to fraud or theft."⁴¹

³⁹ See particularly *ibid.*, pp. 555, 557.

⁴⁰ "The division of prisoners into grades, and the practice of promoting them from one grade to another, were methods prescribed in Massachusetts by law in 1826, and followed in the Massachusetts State Prison for many years" (Wines, *op. cit.*, p. 227).

⁴¹ *Ibid.*, pp. 229-31.

Such, then, is the history, and such are the aims and methods, of that reformatory movement which originated under the inspiration of a small number of intelligent practitioners of the art of human reorientation, and soon spread throughout the United States. Among the first to adopt the principles and methods of the adult reformatory was the Commonwealth of Massachusetts, and it is to its institution, typical of the better American adult reformatories, that we now turn our attention.

CHAPTER III

THE MASSACHUSETTS REFORMATORY AND PAROLE SYSTEM*

1. *History and Aims of Massachusetts Reformatory*

The Massachusetts Reformatory, some former inmates of which are the subject of this book, was opened for reception of prisoners on December 20, 1884, eight years after the pioneer institution was established at Elmira, New York. Both the Elmira Reformatory, the fame of which had spread like wild-fire throughout the country and abroad,¹ and the apparent success of the industrial schools for juveniles in Massachusetts created the sentiment necessary to establish an adult reformatory institution in Massachusetts.²

The Massachusetts Reformatory, according to Superintendent Scott, one of its early administrators, aims "to bring to bear upon the prisoners those elements which in every civilized and Christian community have been found beneficial to its individuals . . . the church, the schoolhouse, and the workshop."³ The Reformatory "believes the prisoner to have in a degree the possibilities of the commonalty of man, and it finds them needing the same motive and power by which the best people have reached and continued in goodness."⁴ With this in view, the Reformatory "seeks to discipline, instruct, enlighten, qualify, and equip the offender, so that he will not again have the desire or necessity for wrong-doing."⁵

The work of the Reformatory must be educational, in a broad and deep sense, "so as to attain the physical, intellectual, moral, and industrial development of the prisoner." In this process, said Superintendent Scott, the prisoner is not regarded as a subject of "sentimentality or commiseration merely"; nor does the institution seek to condone his offence. Though the judge commits a man

* We are indebted, for some of the material in this chapter, to Mr. Frank Loveland, Jr., and Mr. Albert Morris, former students of one of the authors.

¹ Numerous articles on every conceivable phase of the Elmira Reformatory regime were written by Zebulon R. Brockway, its first superintendent, and others. See the useful compilation, *Extracts from Penological Reports and Lectures Written by Members of the Management and Staff of the New York State Reformatory, Elmira, N. Y.*, grouped and edited by Fred C. Allen, secretary to the Board of Managers, Albany, 1926. Among the important foreign works giving unstinted praise to the Reformatory was that by Alexander Winter, which was published simultaneously in England (*The New York State Reformatory in Elmira*, London, 1891) and Germany, the English edition containing a preface by Havelock Ellis.

² Joseph F. Scott, *The Massachusetts Reformatory*, in *The Reformatory System in the United States*. Reports prepared for The International Prison Commission, p. 80.

³ *Ibid.*, p. 81.

⁴ *Ibid.*

⁵ *Ibid.*

to a reformatory instead of a state prison, we are especially reminded by Scott that "the element of punishment is not thereby eliminated."⁶ Thus cautiously do some penal administrators advance ideas popularly supposed to make of prison life a delightful form of temporary diversion in an atmosphere combining the comfort of a modern hostelry and an exclusive preparatory school. Their accounts of the advantages offered prison inmates in the modern reformatory must be qualified with careful circumspection. Otherwise, it has seriously been suggested, persons would commit crimes in order to obtain the privileges of reformatory life!

The following pages describe the Reformatory as it is at present, except that we have carefully attempted to point out differences that existed in 1916-18, the principal years when our men passed through the institution.⁷

2. Plant and Equipment

The Massachusetts Reformatory grounds cover three hundred and sixty acres of land, about twenty-two acres of which are enclosed by a twenty-five foot brick wall. The institution was originally intended to be the state prison and was utilized as such for some time. The buildings are of a substantial nature. The main section of the inmates' quarters consists of two wings facing the road, each wing comprising five tiers of cells, back to back, forty cells to a tier. With other sections containing individual cells, the whole constitutes nine hundred and fifty regular cells. There is a large general dining-room, above which is the chapel, with a capacity of a thousand.

Separated from the cell blocks are the industrial buildings, large three-story brick structures with wooden interiors. The hospital, built in 1911, is a one-story structure with four wings. Two of the wings are used as wards, accommodating thirty beds; the remaining wings contain separate sick-rooms, isolation rooms, and offices. The Superintendent's residence is connected to the front of the central Reformatory building; the other officers' quarters are within close range of the institution.

About 100 acres of land on which the Reformatory is situated are under cultivation, another 100 are used for hay and grazing land. The institution has its own dairy and pigery.

The cells (except 72 facing the outside, and used for detention and punishment) are nine feet long, five feet three inches wide, seven feet six inches high, with walls of brick, ceilings and floors of cement, and a two-foot door, closely barred. The windows of the cell-compartment walls are large enough to furnish light to the cells. The cells are heated by hot-air radiators placed at frequent

⁶ Joseph F. Scott, *The Massachusetts Reformatory*, in *The Reformatory System in the United States*. Reports prepared for The International Prison Commission, p. 81.

⁷ The present superintendent, Mr. Charles T. Judge, must be given credit for a number of important innovations looking to the improvement of the institution, particularly the appointment of a trained superintendent over the institution schools.

intervals on the floor of the cell compartment and are ventilated by upper and lower vents at the rear of each cell.

Each cell contains a toilet and wash-basin with running cold water, and an electric light. The standard cell equipment consists of a three-foot steel bed with silk-floss mattress, two sheets, pillow and blankets, a wooden chair and small table, a mirror, a tin cup, brushes, floor cloth, and toilet-paper. One towel per week, soap, and a tooth-brush are furnished. Other accessories may be purchased through "store orders."

Each cell must be swept and dusted daily, and the floor washed at least once a week, by the inmate. Cell equipment must be kept clean and orderly, beds must be neatly made and kept in order when not occupied. The cells are subject to daily inspection by the officer in charge of the wings, and the occupant may lose marks⁸ if his cell is found to be dirty or disorderly. The Reformatory building and cells were found to be exceptionally clean and well kept.

3. Reception of Prisoners

Upon sentence to the Reformatory the prisoner is taken by train or automobile to the institution. On arrival he is immediately conducted to the "store room," where his clothes and other possessions are taken from him and noted on a record. The prisoner now goes to the bath-house, where he is examined for vermin and is required to bathe. Here he is supplied with a suit of underwear, a shirt, and socks. He is furnished a uniform, which has generally been used before, but has been laundered and pressed. It consists of a coat and pair of trousers of a black, woollen material, and a square-billed cap of the same cloth. He is also supplied with a pair of high shoes, and slippers of soft leather for wear while in the cells, to classes, and to chapel. A second set of underclothes and a "hickory" shirt and socks are kept for each man at the laundry, being identified by the inmate's laundry number. During the winter months each man has a reefer. Men who work in the open are furnished rubbers; those who work in the shops or at other manual labour are supplied with overalls.

During the winter, clothes are laundered weekly; during July and August twice each week. Clothes of men with venereal disease in an infectious stage are sterilized before being laundered.

Upon entering the first grade⁹ the inmate is given a new suit, and he receives a new suit every six months thereafter. Except for the cap and the chevrons on the sleeves of first-grade inmates, the uniform is not readily distinguishable from the clothes worn by men outside of prison. Prisoners are allowed to keep or purchase neck-ties and handkerchiefs, but must launder them themselves.

After having his clothes supplied him the new inmate is assigned to a temporary cell. During the one to five days he spends in this cell, he is at the call

⁸ See pp. 31-32 for a description of the grading system on the basis of marks. Besides the daily inspection there is a weekly inspection for hidden objects.

⁹ See p. 32.

of the Superintendent, the Deputy, the physician, the chaplain, and, latterly, the social investigator, for interviews.¹⁰

On the day of arrival or soon after, the new-comer is taken to the hospital and laboratory and subjected to a thorough physical examination, including examination of teeth and eyes, urinalysis, examination for clinical evidences of venereal disease, and a Wassermann test. If found to be venereally diseased, he is interviewed by the physician regarding other persons who may have been infected by the patient and is supplied with literature regarding the disease and its treatment. In small groups all men are given an hour's talk on sex hygiene and furnished literature on the general care of the body. Where necessary, vaccination is given soon after admittance. If the physical examination indicates that the inmate has contagious disease and should be isolated, he is detained in the hospital.

During the first day at the Reformatory the new arrival is supplied with *A Manual of the Massachusetts Reformatory for the use of Prisoners*, a small handbook containing the rules and privileges of the institution, a list of institutional offences, and the regulations and procedure on parole matters. In the back of the book are leaves in blank form, "to allow each person to keep his own record of conduct and progress." The following extracts indicate the general tone of this booklet:

"When a young man who is believed by the judge to be reformable is convicted of a felony, the court is empowered, in its discretion, to commit such a person to this institution on an indeterminate sentence, instead of to the State Prison. In your case the judge has exercised in your favor by committing you here.

"It is not known how long you may remain in this institution. You will be paroled only when the Board of Parole, in the exercise of their best judgment, believe it wise. They will take into account all the circumstances which may aid them in reaching a conclusion.

"It is within *your* power by *your* meritorious conduct, diligence in labor and progress in study to reduce your term of service. The conditions under which such reduction can be made are given in the rules hereinafter set forth.

"If you should escape or attempt to escape, the law provides that you may be punished by imprisonment for not more than five years in addition to the rest of your original sentence, and you are further warned that it is the sworn duty of the officers to prevent your escape.

"The reformatory is run to help the boys who are sentenced to it by

¹⁰ During the period when most of the men covered by our study were in the institution (1911-22) there was no full-time social investigator. Social data, largely unverified, were obtained from the prisoner himself soon after his admission, by the "parole clerk," who, judging from his terse and penetrating "size-ups" of the inmates and the quality of the occasional prognoses hazarded by him, was an unusually capable prison officer with a gift for understanding human nature. In November 1925 a full-time "social investigator" was appointed, whose duty it is to verify social data by correspondence and field visits.

teaching them self-control, knowledge of a trade and to provide an opportunity for general education.

"Your conduct should be good. You should be obedient and respectful. You should make as much advancement as you can. You should fit yourself to earn a living by honest effort, and qualify yourself to hold and retain the confidence of those who may employ you after release."¹¹

During the period of segregation the new inmate is briefly interviewed by the Superintendent, who tells the prisoner what is expected of him and what effect his conduct and obedience while in the institution will have on his chance for release on parole. The Superintendent advises the inmate as to the opportunities for betterment offered in the Reformatory, and points out that the institution can only offer the opportunities; their acceptance must come from the inmate. The Superintendent also questions the prisoner about his offence, and attempts incidentally to learn something of the factors that have led to his antisocial conduct.

After this interview with the head of the institution the prisoner is seen by the Deputy, who has charge of assignment of inmates to living-quarters, industry, and trade school and who also supervises matters of discipline. The Deputy attempts to learn the new prisoner's main interests, vocational and recreational, and briefly discusses his educational and industrial history. The Deputy hopes through this interview to win the man's confidence and thereby gain a sufficient knowledge of his interests, capacities, and experience to permit of his intelligent placement in trade school, industry, and recreational activity. But both the Superintendent and the Deputy contend that it is impossible to give a man the work he prefers. If he knows the institution, he will want the easiest employment or that having the most advantages. Moreover, the needs of the institution must also be considered in the vocational placement of new inmates. The inmate's little booklet informs him that he "will be assigned to such work as appears best for his interests and that of the reformatory, and changes will not be made except for good reasons."¹² If after a trial of several months in the industry and trade school selected by the Deputy it is seen that the young man is not fitted for the place assigned, a change is ordinarily made.

If the new arrival is under twenty-one, he is assigned to the trade school, where he spends half of each day; the other half is devoted to one of the industries, where production, rather than instruction, is stressed. Occasionally, where the individual shows unusual interest and aptitude for some particular trade, he is allowed to be in the trade school for full time. If the new-comer is twenty-one or over, but shows particular interest and ability in trade instruction, he may, in the judgment of the Deputy, be allowed to attend a trade school.

If the inmate is believed not to have had the equivalent of a grammar-school education, he is compelled to attend the school of letters in the evening.

Soon after admission the new-comer, regardless of his faith, is visited by the

¹¹ Op. cit., pp. 4-5.

¹² Ibid., pp. 26-7.

resident Chaplain, who explains the opportunities for development offered by the institution and, like the Superintendent, points out that acceptance of such opportunities is a matter within the inmate's own power. The inmate is also informed of the religious services provided, and the rules regarding the use of the library are explained to him.

Within the first two weeks the new-comer is "finger-printed" and measured according to the Bertillon system. If he has committed a felony,¹³ an identifying photograph is taken of him. During the first few days the new-comer is also interviewed by the parole clerk. Important features of the routine just sketched will be discussed in more detail at appropriate places below.

4. Institutional Daily Routine

The day begins at 6.30, at which time the inmates are aroused by a gong; they then wash, clean their cells, and make their beds. They are marched to the dining-room for breakfast at 7.15, and marched to the industrial shops or trade schools at 7.30. At 11.20 they wash and march to dinner, which lasts until 11.55. From 11.55 to 1.00 the inmates are locked in their cells. Industrial or trade-school activity is resumed at 1.00, and between 4.30 and 5.00 the prisoners are allowed a recreation¹⁴ period in the "small yard." Supper is from 5.00 to 5.20. Until 6.30 the men are again locked in their cells; then they march to the academic schoolrooms (Tuesday, Wednesday, Thursday, and Friday) and remain there until 8.30. At 8.30 the men are again locked in their cells for the night, and the lights are put out at 9.00.

On Wednesdays and Saturdays the routine is somewhat relaxed; work stops at 3.15 and the men are permitted to play basketball, baseball, and other sports in the "large yard" until 5.00. On days when the weather does not permit of participation in sports, the prisoners are allowed to spend an hour in the small yard. There are other variations of routine. Thus supper is earlier on Saturday night, because of the bathing-schedule; the "Monday Night Club," whose activities are described below, meets for an hour and a half on Mondays; on Sundays the rising-call is at 7.15, there are religious services in the morning, Catholic Sunday-school for an hour in the afternoon, recreation from 2.00 to 3.00 in the small yard, and "outside entertainment" for members of the first grade.

5. Indeterminate Sentence, Mark System, Grades, and Discipline

A basic feature of the Elmira system, as already mentioned, was the indeterminate sentence. It is presumed to supply the most powerful motive to self-

¹³ Only a small number of the inmates are committed for misdemeanours. Usually these are youths transferred by the trustees of Massachusetts training schools (Lyman School for Boys, Westborough, Mass., and Industrial School for Boys, Shirley, Mass.) under the statutes, without court procedure.

¹⁴ This means that the men are allowed in the open and required to "keep moving," though there is no restriction on conversation.

improvement, since love of liberty is probably the strongest desire capable of arousing and maintaining the interest and effort of the prisoner. The manual given to prisoners on their admission to the Massachusetts Reformatory also makes it clear to the inmates that by good behaviour the period of their incarceration may be reduced:

"It must be remembered that inmates are committed to serve terms in this institution of either 1, 2, 5, or more years, and that the only *right* a man has is his right to be released at the expiration of his *full* time.

"In deserving cases, however, where it can be reasonably assumed that a man will be better off outside of the reformatory, he may be given the privilege of parole, which means that he is still serving his sentence and is liable to be returned to the reformatory by the Board of Parole, if his conduct warrants it, and is allowed his liberty upon his word of honor that he will go straight and will live up to the terms of his parole.

"A man, therefore, has no *right* to be released at the expiration of any given time, and it is entirely for the Board of Parole to decide in its discretion when in the interests of the man himself and of society it is best that he should be released on parole.

"Among other things, the Board of Parole in determining whether to exercise its discretion will consider . . .

1. Whether or not a man has profited by his stay in the reformatory and has so far reformed as to be unlikely to commit another offense.
2. His conduct record while in the reformatory."¹⁵

Again, towards the close of the manual, the inmate is reminded that "the grade rules are designed to advance those who do well," and that "by conforming to them release upon parole and privileges may be gained."¹⁶ Since the earning of marks and an outward appearance of good conduct are essential to early release under the "indeterminate" sentence, the cunning and experienced prisoners, who "know the ropes" and are able to avoid penalties, would appear to have an advantage over the less intelligent, though not necessarily less reformed, inmates. Careful discrimination on the part of the officials is therefore necessary, if the mark system is to operate effectively and fairly.

Classification of prisoners on the basis of marks and conduct grades is a leading feature of the Reformatory regime. Upon entrance to the institution the inmate comes into the second grade. He is promoted to the first when he has earned 750 credit marks within five consecutive months. Promotions from one grade to another are made at least twice a month. For "perfect conduct, industry and labor, and diligence in study," an inmate is allowed five credit marks daily, while one whose record is "perfect for four consecutive months" is under the rules entitled to 150 additional credit marks. For "misconduct of any kind, lack of industry in labor or of diligence in study," the inmate loses

¹⁵ Op. cit., pp. 8-9.

¹⁶ Ibid., p. 26.

such number of marks or suffers such punishment as the Superintendent directs.¹⁷

Failure by a first-grade inmate to obtain at least 125 marks in any month results in his demotion to the second grade; failure to obtain such number of marks for two consecutive months will reduce a second-grade inmate to the third; failure to obtain 100 marks per month by a third-grade inmate for three consecutive months subjects him to "such punishment as the Superintendent, with the approval of the Commissioner of Correction, may prescribe."

A demoted inmate who has earned five marks daily in any calendar month may be advanced to a higher grade. Special credit marks or promotion to the "first grade perfect" may be granted by the Superintendent, who may also establish distinctions between the several grades in diet, clothing, and privileges.

The great majority of inmates win promotion from the second to the first grade between the fourth and fifth months of their incarceration, and demotions are relatively few. Ordinarily some sixty-five to seventy per cent of the population are in the first grade, and practically all of the remainder in the second grade; only occasionally are there even a few inmates in the third grade.

The mark system provides the parole board with a behaviour record for each inmate and utilizes his desire for earlier release under the indeterminate sentence as a motive to at least outward good behaviour. The system also furnishes machinery through which inmates may secure or be deprived of the various privileges appertaining to the different grades. For example, the loss by third-grade inmates of the privilege of receiving visits or writing letters¹⁸ is in itself a deprivation that few prisoners care to undergo, not to mention changes in diet, living-quarters, and so forth.¹⁹ On the other hand, certain definite advantages go with membership in the higher grade. Among those of the first grade are: the added prestige inherent in the uniform with the yellow chevrons,²⁰ attendance at the "first-grade meeting" on Sunday afternoons, when various types of entertainment are brought from the outside, assignment to better cells, more favourable consideration in vocational placement, possibility of membership in the Monday Night Club, and, as was mentioned, more favourable consideration by the parole board. The Monday

¹⁷ Op. cit., pp. 6-7.

¹⁸ By special permission they may be allowed visitors and correspondence (*Manual*, p. 22).

¹⁹ At one time third-grade prisoners were compelled to wear uniforms of flaming, cardinal red, which is said to have greatly humiliated them in the eyes of their companions. — The Reformatory System in the United States. Reports prepared for The International Prison Commission: Joseph F. Scott, *The Massachusetts Reformatory*, p. 95.

²⁰ An inmate having a perfect record when he reaches the first grade has a diamond added to the chevrons. The positive psychological value of such distinctions is well known. Less known is the fact that these distinctions may tend to add to the embitterment of certain personalities, already the victims of a persistent grudgeful attitude or one of inferiority, and to enhance the egoism of certain types who already regard themselves as among God's superior beings. On the whole, however, the advantages apparently outweigh the disadvantages.

Night Club is composed of the two hundred inmates with the best record. Members have the privilege of attending weekly meetings, where they provide their own amateur entertainments.

The marking system, as well as matters of discipline, is administered by the Deputy Superintendent, a fair-minded officer of military experience, who appears to have the respect of the rank and file of the inmates. Other officers have no right to punish inmates under their charge; they may reprimand, but use no force. Infractions of rules and other offences are reported to the Deputy by officers, on a blank where the possible institutional offences²¹ are listed and those with which the inmate is charged are checked. If an officer deems an offence to be serious, he may send the offender to a special detention cell until the following morning, when "court" is held by the Deputy. If the inmate is not a serious offender, he may go about his normal routine, merely being punished by loss of marks or privileges. In the Deputy's "court" the offender pleads "guilty" or "not guilty" and his story is heard. If it conflicts materially with that of the officer, the latter may be called in; ordinarily, however, only the officer's report of the offence is considered. After weighing the evidence the Deputy decides whether the accused should be allowed to continue in the regular routine, be placed on probation in the institution for one month, or be given a penalty. The following are the possible penalties: solitary confinement on bread and water (only for the most serious offences), confinement in "separate work-room" (detention cell) on regular diet, deduction of marks, with possible demotion of the offender to a lower grade (and if to the third grade, transfer to a detention cell with the task of braiding rugs), deprivation of any or all privileges. The last consist in visiting, correspondence, first-grade meeting, Monday Night Club, tobacco, use of library, making purchases, and recreation periods.

An offender may be kept "in solitary" not more than ten days at a stretch. During confinement he is given eight ounces of bread and a quart of water daily. Though the cells for solitary confinement are the same as those used for "separate work-room" confinement (a lesser form of punishment), they contain no running water and the bed consists of a pallet of boards placed on the floor, with blankets.

Solitary confinement is comparatively rarely resorted to, inasmuch as it is thought to embitter the person thus punished. The offences for which it was imposed in 1927, in the order of their frequency of occurrence, were: disturbance, refusal to work, attempted escape, fighting and assault, destroying state property, violence, disobedience, use of vile language, threatening instructor.

Confinement in separate work-room consists in incarceration by day and night in one of a group of "detention cells" in an isolated section of the building. Men are not permitted to work nor allowed any reading-material

²¹ This list of offences is, as was mentioned, also given in the manual supplied the prisoner.

while in separate confinement, except those in the third grade, who braid rugs. The regular diet and standard beds and bedding are allowed and the cells, though darker than the regular ones, are larger.

The offences for which the men were punished in 1927, in the order of their frequency, are as follows: fighting, 48; disturbance in wing, shop, or school, 43; assault on inmate, 33; insolence, 29; violating tobacco rules, 14; "crookedness," 9; "being out of place," 6; disobedience, 6. The remainder of the 251 infractions for which punishment of separate confinement, solitary confinement, or reduction in grade was imposed were distributed among such offences as "vile language," "bad talk," "passing vile notes," malicious mischief, persistent shirking, gross carelessness, attempted escape, refusal to work, trading clothes, carrying dangerous weapon, and a number of others.²²

The institution officials have this to say with reference to the relative gravity of the offences committed, and to their policy regarding punishment:

"Offenses in which defiance of the authority of the reformatory as represented through the employes, such as absolute refusals to work or obey, assaults on officers, offenses in which danger or damage to property is involved, those involving sex perversion, attempts to escape, assaults on other inmates, are considered serious; in fact very serious, as compared with talking where such is forbidden, shirking, being out of place, etc., while lying and other acts of dishonesty, acts indicating a mean or selfish disposition occupy a middle ground as far as the nature of punishments given for them is concerned, although a consistent endeavor is made to differentiate between the different offenses according to their serious nature as compared with ordinary moral standards.

"The punishment for these different offenses would be the same for different individuals excepting in the cases of certain inmates whose low mentality would seem to justify tempering justice with mercy. There is perhaps a further distinction made between different men where minor offenses only are involved, in this way: A man in the first grade perfect class who was reported for the first time would probably be placed on probation, whereas a man of equal intelligence but with a record of several reports or punishments might be given marks or otherwise punished for the same offense."²³

6. Industries

Cloth- and furniture-making are the major industries of the reformatory we are describing. The cloth industry embraces all the processes beginning with the handling, cleaning, and dyeing of the raw cotton and virgin wool, and passing through all the steps of spinning, weaving, finishing, and so forth. On a day in March 1928, 308 inmates (39.3 per cent of the population) were engaged in this industry. The furniture factory supplies occupation for the

²² See pp. 158-159, where the offences of the 510 men we are studying are analysed.

²³ Letter from Superintendent Charles T. Judge to writers.

sawyer, who cuts the stock from the rough lumber, the cabinet-maker, who assembles cabinets, tables, and desks for which the sawyer has cut the stock, and the finisher, who stains, paints, or varnishes the completed article. On the day mentioned, the furniture factory employed 117 inmates, or 14.9 per cent of the population. Engaged in maintenance of the institution were 182 men, or 23.2 per cent of the population; 64 inmates (8.1 per cent) were working on the farm, in the gardens and the barn; 92 (11.7 per cent) were engaged in trade-school work, nine in the printing-shop, and two in rug-making. Nine were for various reasons unemployed.

About nine per cent of the population are engaged in work outside the walls, these being selected from the group to be released within a few months. Certain types of industry are unpopular or require but little intelligence and to these the feeble-minded are assigned.²⁴

Most of the inmates work seven hours on four days a week and six on two days.

Generally both an instructor and an officer are found in each shop, the former teaching the men how to do the work required of them, the latter (who presides on a raised platform whence he may view all the inmates) having charge of the maintenance of order.²⁵

One of the primary objects in the industrial shops is apparently production, the making of money for the state. For this reason, and the fact that the period of confinement is too brief, no definite effort is made to train men in the industry by giving them instruction in all processes. If greater efficiency can be obtained by keeping a man at one operation rather than transferring him to other processes, it is probable that he will remain at the former. The great majority of interviews requested by inmates and letters received from them by the Deputy Superintendent concern desired changes of employment, which almost uniformly must be refused.

In a recent survey by an expert in the textile industry, the equipment was found to be essentially modern, though operated by a belting system instead of individual motors. One unit reported obsolete was replaced. It is doubtful, however, whether the equipment in all the shops is up to the standard found on the outside. Even if it were, as high as fifty-five per cent of the population is engaged in the two industries of cloth-making and furniture-making, and it is questionable whether many such persons could receive employment in those industries on their discharge. The actual occupations of ex-inmates of the Reformatory will be discussed later.²⁶

Up to the middle of 1928, prisoners received no wages for their labour. The Prison Survey Committee of New York, in an authoritative survey report, set

²⁴ See pp. 161-162 where the matter of types and frequency of occupational opportunities given the 510 men we are studying is discussed.

²⁵ Compare Sir Walter Crofton's account of one of the "establishments" of the Irish System, p. 18.

²⁶ Pp. 197-198.

forth in a nutshell the reasons for the payment of prison wages: "Accomplishment depends largely on the incentive which creates effort. The desire for wages, with which to procure better living conditions, recreation, the comforts of life, and the support of dependents is, of course, a great incentive which impels the normal freeman to do better and more work. The desires of the prisoner are no different from those of the free man."²⁷

7. Trade and Academic Instruction, Military Drill, Exercise

As early as 1896 the director of the trade school at the New York reformatory was able to report as follows about the aims and facilities of this branch of the institution's regime:

"The technological department assumes the responsibility of providing with a trade every prisoner received into the institution not so equipped upon his admission. In the extensive range of handicrafts offered it presents admirable facilities for accomplishing this purpose. The school occupies buildings constructed for its specific use, and its instruction — with the single exception of the moulding class — is wholly differentiated from that incident to the work for profit in the manufactories. The class rooms are spacious; the equipments, as lathes and work-benches, are identical in size with those employed in productive industries; the exercises are not performed in miniature as in many schools, but are carried out in full proportions, such as would supply actual competition in business life; the pupils are men in years and not boys. The average trade course as outlined extends with no vacations through twenty months, which is also the average term of confinement within this asylum for criminals."²⁸

While it cannot be said that even today the Massachusetts Reformatory "assumes the responsibility of providing with a trade every prisoner received into the institution," nor that it has as good facilities as those that the Elmira

²⁷ *New York: Report of Prison Survey Committee, 1920*, p. 119. A recent Massachusetts law provides that after the profit of fifteen per cent of the cost on prison industries has been guaranteed to the state, the excess profit may be disposed of by placing one-half to the credit of the prison-industries fund of the institution and one-half to the credit of the inmates under rules and regulations to be framed by the Superintendent. He is empowered to "prohibit the delivery of any money" to any inmate (*Gen. Laws*, chap. 387, 1928). This concession to the principles of progressive penology was won only after a long and tireless fight on the part of forward-looking citizens and the Commissioner of Correction. It should be contrasted with what the New York Prison Survey Committee, in a sober and sound investigation of the prison system in the Empire State, recommended on the subject of prison wages:

"The main purpose of the committee, in all its investigations and recommendations, is the creation and development of incentive to right living.

"In addition to the wage, therefore, the committee recognizes and proposes to develop certain incentives, incidental and collateral to the wage itself; namely, the lessening of the sentence through time off, to be earned by effective industry; better living conditions to be earned, not merely conferred, and the entrusting to inmates of a part in the management of their own industry through the operation of shop committees" (*Op. cit.*, pp. 119-20).

²⁸ *Annual Report, 1896*, quoted in *Extracts from Penological Reports, etc.*, p. 371.

Reformatory could boast of in 1896, still the Massachusetts institution's trade school is of value.²⁹ Youths under twenty-one committed to the Reformatory are automatically assigned to the trade school. After being questioned as to their vocational interests and experience they are placed in one of the following trade classes: forging and acetylene welding, printing and press-work, masonry and plastering, plumbing, tin-smithing, pattern-making, and sloyd (carpentry and cabinet-making). In recent years the facilities for trade-school education have been sufficiently extensive to enable all persons eligible for training to be placed in these classes.

As to the types of trade taught, it will be noticed that they include some that were popular and offered considerable opportunity for employment several decades ago. The curriculum is, however, still deficient in the most promising trades of today, such as practical electricity, automobile and aeroplane repairing, the trades of the stationary fireman and the engineer. The opportunities in forging and cabinet-making are daily decreasing under the spread of large-scale production; the auto repairman and electrician, on the contrary, are becoming more and more needed in every community.³⁰

Most of the trade-school instructors have themselves been tradesmen or have learned the trade in the institution, and their ability appears in general to command the respect of the novices. The majority of the trade-school teachers have, however, been teaching for many years and have had but little opportunity to study the teaching methods employed by outside trade schools or to observe the newer industrial processes.

Another weakness of the trade school is that neither facilities nor personnel exist for the teaching of theoretical subjects (mathematics, mechanical drawing, etc.) in such a way as to ally them directly to the trades. For parts of the period prior to 1927 there was no superintendent of schools in the institution, each instructor being more or less supreme in his field. There was no machinery by which the work within the trade school could be integrated or that of the trade and academic schools correlated. A capable superintendent is now at work to effect this unification.

Every inmate who has not completed the grammar-school grades is required to attend the academic school, classes of which are held four evenings a week. Soon after admission the inmate is briefly questioned as to his past education and is assigned to a class. The information furnished by him is not verified for a considerable time after this interview, if at all, nor is the teacher furnished with the results of the psychiatric and psychological examinations until months thereafter, if at all. Hence the placement of the youth has until very recently been more or less haphazard. If, after a month in a class, the student shows he is not fitted for that grade, he is placed in a lower one. The new superin-

²⁹ See comments of some ex-inmates on this point, p. 298.

³⁰ The new full-time supervisor of instruction is attempting to improve this situation.

tendent of trade schools is attempting to improve the practice of student placement.

The classes range from those for illiterates to that for the eighth grade, and those for volunteer students in the advanced subjects of civil government, mechanical drawing, and book-keeping. Arithmetic, geography, American history, reading, and spelling are taught in the grade classes. No fixed outline of study exists for any of the grades. It appears to be customary for instructors to give their classes the news of the day, followed by teaching and drill in the grammar-school subjects. During an investigation in 1928, 650 (83 per cent) of the 782 inmates were attending the academic school, 33 of these being in the illiterate class and 125 in the three volunteer classes of civil government, mechanical drawing, and book-keeping. The instructor teaches all the subjects in his class and covers them all in a two-hour session. Practically no time is given for study in the class-room, students being expected to make their preparations in their cells.

Though the teaching in the academic school does not represent the highest efficiency, there is every likelihood that the school of letters does benefit the men in its enlargement of their points of view.³¹ The teachers are, however, persons for whom teaching, in or out of prison, is but a side occupation affording a meagre addition to their income from their regular work. In 1928 the staff consisted of an undertaker, experienced in teaching illiterates and deemed capable and popular, a local businessman who is a graduate of a normal art-school, the laundry foreman of the institution, who has a high-school education, a dentist, the Reformatory electrician, the Reformatory book-keeper, a businessman who is a graduate of Boston University, a college student, a college graduate, the parole clerk of the Reformatory, an old employee of the Reformatory who teaches mechanical drawing. While all these men have some skill in teaching the various subjects of the curriculum, it cannot be said that they have the special gifts required for the remaking of human character. The present corps of teachers is, however, the best in the history of the Reformatory.

Again, as to the methods of teaching, improvement could be made. The classes consist of about forty students, making individual attention difficult. The assignment of two inmate teaching assistants to each instructor helps a little.³² When one considers the important and complex task of a prison school as compared with that of the ordinary class-room, the need for exceptional teaching talent and socializing forms of instruction becomes apparent. Most of those attending evening classes at the Reformatory have previously been "exposed" to academic public-school work and represent failures of that system. They are the very persons in whom educators should be primarily

³¹ See p. 132 for a discussion of the education of our group of 510 ex-inmates of the Reformatory; p. 298 for comments of some ex-prisoners on the school.

³² See p. 326, where the subject of teaching inmates is discussed.

interested. They, and not the ordinary run of pupils, present the vital teaching problems and suggest weaknesses of method and curricula. All teaching effort in their case, particularly, should be focused upon the development of a wholesome sense of social responsibility, upon the strengthening of character, upon the proper management of instinctive-emotional trends. Such tasks are far from easy or simple, and they require teaching talent and psychological insight of the highest and rarest type.

Teachers in penal institutions easily overlook the need of regarding academic subjects as but a means to the more fundamental teaching task of fitting the inmate to take his place in some socially useful activity upon his release from the institution. It is true that little in the way of technique or teaching principle looking to that end has as yet been evolved; but unless prison teachers and schools of education recognize the need, we shall never make progress in this field.

Among the important educational devices of the Reformatory, military drill must be counted. Superintendent Brockway prided himself on having, among the "methods and facilities" for reformation, a system of "military training as thorough, if not as comprehensive, as that of the national Military Academy."³³ Military training, together with physical culture in a well-equipped gymnasium, was used especially in the early weeks of a new-comer's incarceration, with the definite objective of correcting his physical defects and of teaching alertness and obedience. In 1920 the Massachusetts Reformatory began to use military drill (with wooden guns) and has maintained this form of educative exercise since that time. During the first month that the new arrival is in the institution, he drills for an hour each day. Thereafter he attends a drilling class for an hour a week. The mass evolutions are under the general supervision of an instructor who has had military experience; but there are inmate officers.

A certain amount of exercise is given the inmates as they walk to and from work, as the buildings and trade-school shops are from fifty to several hundred yards apart from the living-quarters and dining-hall. Further, some ten per cent of the men are engaged in predominantly outside work, while thirty-five to fifty-five men, who have but a few months to serve and thus are assumed to have but slight motive for escape, work on the farm outside the walls. There are no formal gymnastics; but on four days weekly the men are given a half-hour's exercise in the small yard, and on the remaining two week-days recreation in the form of hockey, basketball, and baseball may be engaged in for an hour and three-quarters. On Sundays an hour is spent in the small yard, and on holidays part of the day is often given over to athletic competition.³⁴

³³ *The Reformatory System in the United States*, p. 25.

³⁴ An organized system of recreational activities has recently been instituted by the Superintendent, with the aim of obtaining participation of as many inmates as possible and thus reducing the harmful use of leisure.

8. Social and Spiritual Welfare

Recreational opportunities are ordinarily deemed privileges to be earned by good conduct. Until the inmate reaches the first grade, he may not attend the weekly entertainment provided at the first-grade meeting. Each Sunday afternoon an entertainment from the outside, a moving-picture show, music, vaudeville acts, or a lecture, is given for the benefit of members of the first grade. The entertainment is secured by and is under the supervision of the chaplain, and as he is allowed but ten dollars with which to secure the "attraction," it is usually necessary for entertainers to give their services free. The purpose of the chaplain is to make this meeting one of recreation rather than of educational value.

The Monday Night Club is an organization of two hundred members of the first grade having the best conduct records. This organization is under the supervision of the Assistant Deputy. Though its purpose is also chiefly recreational, it gives scope for self-expression by providing entertainment by inmates in the form of amateur theatricals, popular orchestral concerts, and so forth. The program is arranged and produced by the inmate officers of the club, the Assistant Deputy acting as censor.

On one night a week the inmate band or orchestra plays in the guard-room from which the wings or cell blocks radiate. The members of the band and orchestra are allowed to practise three days each week, and membership in these musical organizations is highly prized.

The Reformatory publishes *Our Paper*, an institution journal edited under the general supervision of the resident chaplain and printed under direction of the instructor in charge of the printing-shop. It is a twelve-page periodical, made up mostly of stories and articles taken from other magazines and papers. It contains sections on current events and sports, and devotes some space to institutional news and announcements. But a small part of the paper is written by the inmates themselves, and that is composed by a regular inmate staff employed in the printing-shop. A copy of this weekly periodical is supplied each inmate.

The library is also under supervision of the resident chaplain, although the routine is conducted by three inmates. The library room is much too small for reading or study. Library catalogues are found in the shops and other places of employment, and the inmate makes his selection twice each week, the books being delivered to his cell. A separate library card is issued for books to be taken out for study. The quality of the five thousand books is better than that of many penal institutions. Fiction of the more popular type — exciting Western stories, for example — predominates; but the worthless tomes (almanacs and ancient annual reports) which fill the shelves of many prison libraries have largely been culled out. The library does not contain newspapers or periodicals, but inmates may subscribe to approved magazines.

Some of the duties of the resident chaplain have been described. As to his religious activities, it may be stated that during the initial interview with the inmate he tries to learn what faith he professes and the nature of his religious training and informs the inmate that attendance at religious services is voluntary and that an inmate may attend all services if he desires. On Sundays there are the Catholic mass, Catholic Sunday-school, and general service. A priest interviews all members of the Catholic faith and is present for confessions. A rabbi conducts Hebrew services once every two weeks. A former chaplain still retains an evening religious class which meets weekly.

No class in applied social ethics exists.³⁵ Experience with prisoners has led us to believe that many of them, particularly the most thoughtful and older men, are open to practical conviction of the superiority of the accepted standards of morality and "right living" over the codes they unconsciously or consciously follow. A spirited discussion which one of the writers had with a burglar who was particularly reckless in his escapades and cynical in his attitude reminded him of the experience of the teacher of practical ethics in the early days of Elmira. This instructor had passed in his lectures from diseases of the body to those of the soul, and received the following challenging note from one of the inmates:

"Dear Sir, — I think that the man who said last Sunday that he knew he had a soul, made a very strong assertion; and I am not near as sure as he is about the matter, and I would like to be convinced of the fact."³⁶

Needless to add, the instructor spent many uncomfortable weeks trying to prove his point to the inmate. The typical prisoner, who has led a life of danger and antisociality, will not be put off with vague phrases and puerile platitudes. The most inspiring and convincing teachers available are needed to reach him.

Among the valued privileges already mentioned are visiting, letter-writing, and the use of tobacco. Inmates in the first grade may receive visits once a month, those in the second once in two months, from immediate relatives. Visits are limited to one hour. No visits are allowed on Sundays or holidays except by special permission. The visits take place in a large circular guard-room constituting the centre of three wings of the prison. Visitors sit in chairs in the middle of this room, facing the inmates. An officer, seated some thirty feet off, supervises the visits, not censoring the conversation, but seeing that no articles are allowed to pass between visitors and inmates.

First-grade inmates may write a letter once a week, second-grade inmates once in two weeks. Correspondence must be confined to business and family affairs. It is usually restricted to immediate relatives, but an inmate in good

³⁵ Such a class existed for a time, but "so many inmates needed instruction in the work of the lower grades that, as funds could not be obtained for all classes, the ethics course was dropped" (Superintendent Judge).

³⁶ A. Winter, *The Elmira Reformatory*, p. 80.

standing may write one letter a month to a friend. Correspondence is subject to inspection by the prison officials, and must be on stationery and with stamps furnished by them.

Formerly smoking by inmates was prohibited;³⁷ since 1916 one package of tobacco per week is furnished each inmate over sixteen, which he may smoke or chew, provided he is not under punishment or a patient in the hospital. Purchase of tobacco or its receipt from friends is prohibited. Smoking is allowed only in the cells and between the sounding of the rising-bell and the signal for "lights out" at night. As a result of the restriction on smoking, many inmates chew tobacco while working.

Inmates may keep money on deposit with the clerk and are allowed to spend not more than a dollar a week on authorized articles, such as soap, handkerchiefs, ties, fruit, cake, candy, bread and butter. About eighty five per cent of the men have accounts with the clerk.

9. Study and Treatment of the Individual

Since the battle-cry of modern criminology and penology is "individualization," we may consider the extent to which the Concord Reformatory studies the individual and provides treatment on the basis of such study. The interviews of the new-comer with Superintendent, Deputy, and chaplain are not as thorough as they might be.

At the time the young men whose after-careers are herein studied were in the institution,³⁸ the social investigation of the individual could hardly be said to have been provided for. A parole clerk, asking a number of questions, filled in a meagre social-history blank, without verifying the data except through occasional letters to former employers or friends. The form used contained a small space for the "prisoner's story," and another for the investigator's "impressions," which are briefly, though often pointedly, expressed. The record of the interview consisted almost entirely of names and addresses of relatives and employers, schools, churches, and places of employment. At the time covered by this study this record went into the dossier of the individual and was utilized by the physician-psychiatrist in his examinations. Today the "field investigation" ordinarily consists of a visit to or correspondence with the home, schools, and places of employment and verification of as much of the information as possible. The psychiatrist thus has somewhat more reliable social data submitted to him as a preliminary to his examination.

The information, obtained formerly through the interview and more recently through that and the field investigation, is primarily for use of the parole

³⁷ See p. 158, where violations of the rule against use of tobacco by our 510 men are set forth.

³⁸ See note 10. The condition existing during the period over which this study extends has been appreciably improved in recent years.

board. It is rarely utilized by the Deputy and by the superintendent of schools in making assignments, but is more frequently employed by the psychiatrist. The psychiatrist, a very conscientious and devoted official, for seventeen years had to look after all the medical and surgical, as well as the psychiatric and psychological work of the entire institution. In 1926 an assistant was given him who does the medical work, leaving the psychiatric duties and also some of the syphilological work to the psychiatrist.

With the task of looking after the physical examination and physical health of several hundreds of persons entrusted to one man, the psychiatric and psychological work had to suffer to some extent. Ordinarily the physician has been several months behind in his psychiatric and psychological examinations, with the result that the findings of such investigations could not be utilized by the institution officials in vocational placements, in discipline, or in the work of the chaplain and other officers.

During an hour's interview the inmate is given a psychiatric-psychological examination and is supplied with at least a suggestion as to the methods of mental and physical hygiene necessary to his self-re-education. The examination consists of a series of specialized "mental efficiency" tests, "an ethical discrimination test" invented by the psychiatrist, and a personality analysis. "Mental efficiency . . . is an estimate of intelligence factors (cognitive, reflected in what one knows and can express) and of characterial factors (conative, reflected in what one does and does not do), each weighting the other. The delimitations of the three divisions or groups in mental efficiency are as follows: 'Adult' designates a group whose psychograms indicate their capability of being producers sociologically without assistance or supervision, i.e., adult-minded inmates [who] could earn an honest living at least, in open competition. The 'Subnormal' are those who would require assistance or supervision if they earned their keep and the 'Segregables' are those found to be unable, even with assistance or supervision, to maintain themselves, but who need segregation and specialized supervision. The psychiatrist's method of examination and presentation . . . is adapted to the needs of the laboratory clientele, enables the use of diagnostic terms which are not exclusive. For instance, if an inmate is characteristically and predominantly a psychopathic personality, he might also be a moron. So a primary and a secondary diagnosis is sometimes given. . . . Sometimes a tertiary diagnosis could be supplied. This method also enables the use of a very wide variety of tests and stimuli in examination — any, in fact, that may be scientifically judiciously applied."³⁹

The individualized educative work of the institution psychiatrist, carried on while the inmate is being examined, is characterized by a number of

³⁹ Typewritten manuscript, Dr. Guy Fernald, "The Massachusetts Reformatory and its Psychopathic Laboratory," pp. 7-8. See pp. 154-158, where the mental make-up of our group of 510 men is discussed.

principles. First, the psychiatrist is of the opinion, and impresses upon the men, that "the reformatory is not expected and should not be expected to turn out reformed men; but rather is called upon to *enable* men who should reform to *prepare* themselves for reformation, reformation being consummated outside the reformatory, if at all, and that an inmate must prepare *himself* for reformation."⁴⁰ Secondly, orally and through literature, the inmate is taken through the "five psychological steps in reformation and the preparation therefor," as follows:

"1. To *really regret* the damage done one's life and other lives by the mistakes made.

"2. To *intend* to do better.

"3. To *make a plan* by which one might live day and evening for a long time (four or five years) while one is practising his good intentions.

"4. To *decide* whether to adopt the plan or to give it up, and if the former, then to *determine* to be a stayer.

"5. To live this plan for the time set by practising it."⁴¹

The third characteristic of the combined examination and character interview given the individual in the Reformatory is the insistence that sex vice is an important causative factor in character deterioration and criminality. "Before making one's plan for better living," the inmate is told while the psychiatrist is discussing the vital need of plan-making, "a man who plans reforming for five years perhaps, should be sure he is controlling himself in the matter of sex vice. Could anyone make as good a plan for himself if he were still practising some sex vice?"⁴² Other and frequent allusions to sex vice are made.

From accounts of ex-inmates and from observations of the work of the prison psychiatrist, it can be stated that these brief periods of individualized treatment are of some value; they are apparently the only individualized treatment furnished by the institution.⁴³

While not going thoroughly into these three principles of the interview given the inmate by the psychiatrist, we may raise a number of basic questions. The mentioning by almost every official met by the new-comer to the Reformatory that the institution cannot reform him, but that it is "up to him" would seem to have a tendency at once to discourage certain inmates and implant amused cynicism in others. It might even naturally lull the officials into the complacent attitude that they are conducting a sort of characterial cafeteria, with little responsibility on their part except to place the food before the hungry. *The all-important function of arousing an interest in the inmate*

⁴⁰ *Forty-third Annual Report of Reformatory Hospital and Laboratory.*

⁴¹ *Ibid.* See also Guy Fernald, "An Achievement Capacity Test," *Journal of Educational Psychology*, June 1912.

⁴² *Forty-third Annual Report of Reformatory Hospital and Laboratory.*

⁴³ See pp. 324-325, where the need of continuous personal contact with prisoners is discussed.

through frequent personal contacts, and awakening a dormant desire for personal reorientation, or removing mental and physical obstacles to such interest or desire, is likely to be lost sight of. It must not be ignored that we are dealing here with men whose very difficulty often is that they lack responsibility, or that they have proved incapable of availing themselves of the educational, economic, and social facilities offered them by a free environment.

The practice of impressing on the prisoner the need of a plan is unquestionably sound. But to spend an hour or less with an individual in the discussion of such need and then to leave him to his own thoughts and devices for the remainder of his stay at the Reformatory will ordinarily not affect the life-current of the prisoner. *Frequent contacts, animated by personal interest in the progress of each inmate, would seem to be of the essence of the reformatory process.*

Finally, it is doubtful whether the stressing of the evil effects of sex vice to the extent that they are emphasized by the psychiatrist does not do as much harm psychologically as it does good. To frighten an adolescent out of indulging in masturbation, particularly when he is in the abnormal environment of a men's reformatory, would seem to be a questionable pedagogical procedure. The substitution of other interests and activities, the avoidance of introducing to an already harassed mind the panicky spooks and the dire consequences of sex vice, would seem to give more promise of good results than the method used by the Reformatory psychiatrist.

Outside of the earnest efforts of the institution psychiatrist, it cannot be said that individualized attention is given to the great majority of inmates when once they have been screwed into their positions in the great administrative engine that is the Reformatory.

10. Routine on Discharge

Some three months before an inmate is to be released on parole, he may be placed at work outside the walls on the farm, provided his record within the institution has been good. This is done to enable the prisoner to "harden his muscles," improve his health and appearance, and give him a trial under less supervised conditions to test out his responsibility. The clothes the prisoner wore when he entered the institution have been laundered and pressed. In addition he is given a prison-made suit, a pair of shoes, and a few dollars. Of his contact with the parole agents and his supervision on parole we shall learn later.

These, then, are the aims and facilities of the Massachusetts Reformatory. While in some respects they may not be so good as those of the parent institution at Elmira, doubtless the Massachusetts Reformatory is generally classed in the better grade of such institutions in the United States. To grasp and describe

the more imponderable and vital elements of the art and personality of those who conduct the Reformatory is extremely difficult. One able reformatory superintendent has well put the situation: "There exists no ready recipe, no scientific formula, which he [the reformatory administrator] may follow in his efforts to restore a criminal to good citizenship. For the conversion of men from a disposition to do wrong or a habit of wrong-doing, the winning of men from bad to good, lifting them from good to better and inspiring them to strive for the best, will always remain a divine art even the approximate mastery of which is reserved for the men and women who, in addition to character, knowledge, and wisdom, have infinite resourcefulness and consummate tact. Added to these qualifications there is often a dash of that indefinable gift spoken of as genius. This art, however, is never at its best till it has won tribute of sifted knowledge from every science having aught to offer for human betterment."⁴⁴

In Chapter IX the application of the Reformatory's methods to our group of 510 ex-prisoners is discussed.

II. Theory and Aims of Parole

Most of the inmates of the Reformatory are granted parole and released from the institution after varying periods of service,⁴⁵ to complete the balance of their terms in supervised freedom. The early proponents of the American reformatory system recognized this practice as indispensable. It not only afforded a strong incentive to good behaviour in the institution, but enabled the ex-prisoner to be reinstated gradually in the community under friendly supervision and guidance. In addition, it was intended to serve as a test of the fitness of ex-prisoners to live outside of prison walls.⁴⁶ The English ticket-of-leave system was not, however, recommended for adoption for these purposes as part of the new Elmira Reformatory project, although considered by the special

⁴⁴ James A. Leonard, "Reformatory Methods and Results," *Correction and Prevention series*, edited by Charles Richmond Henderson, *Penal and Reformatory Institutions*, 1910, pp. 122-3.

⁴⁵ See p. 167.

⁴⁶ Zebulon R. Brockway, *Fifty Years of Prison Service*, New York, Charities Publication Committee, 1912; Winter, op. cit.

"Said managers may appoint suitable persons in any part of the state charged with the duty of supervising prisoners who are released on parole," Sec. 10, of the Act Creating the New York State Reformatory, in Joseph F. Scott, *American Reformatories for Male Adults*, in Charles R. Henderson, op. cit., p. 97.

"The managers having confidence in you, and desiring to test your character and ability, do, by virtue of the authority conferred upon them by law, grant and order this parole, under the following rules and regulations. . . . The management of the reformatory has a lively and friendly interest in you. You need not fear to communicate with the superintendent in case you lose your situation or become unable to labor by reason of sickness or misfortune. During this period of parole, you may rely upon the aid and counsel of the managers and superintendent and may find the reformatory a desirable retreat in case of disaster," Sec. 3, Chap. 684, Laws of 1906, *ibid.*, pp. 109-10.

commissioners appointed to draft the reformatory plan. They recognized that the English system was faulty in not providing for constructive supervision of ex-prisoners on the basis of their reformatory record and development. Instead it constituted a more or less repressive police surveillance.⁴⁷

The theory, methods, and requisites of the parole system adopted in America in lieu of the ticket-of-leave system were pithily restated in a report of the Prison Association of New York rendered over a decade ago, which laid down these three propositions:

"1. That the prisoner ordinarily arrives at a period in his imprisonment when further incarceration will be of less service to him and to the state as a reformatory measure than a like period passed in liberty under parole supervision.

"2. That in the determination of the proper time at which to admit the prisoner to parole an exhaustive and painstaking study will be made of the individual case, in order that both the right of society to be protected, and the right of the prisoner to rehabilitate himself, may be preserved.

"3. That the supervision of prisoners while on parole shall be conducted thoroughly, and with efficiency and sympathy."⁴⁸

The first item in the foregoing statement is in most places still the theoretical *raison d'être* of parole. To what extent other influences are at work in actually granting parole to any prisoner, it is difficult to say.

The "exhaustive and painstaking study" of the "individual case" referred to in the second item is theoretically provided for through the parole board, a group of men usually appointed by the Governor, whose duty it is to consider applications by prisoners for parole and to grant or deny them. Whether, in practice, an exhaustive and painstaking study of each case is actually made prior to decision as to parole is again a question difficult to answer in any general way; because the qualifications of parole boards differ and the scientific means for making such study vary.

Again, as to the third item in the foregoing statement of aims and requisites of parole, it is difficult to generalize. But this much is certain, that without specially trained parole officers and without limitation of the case-load to a reasonable number of parolees, parole supervision is bound to be superficial.

⁴⁷ "It is well understood that under this system the prisoner is at large and yet not legally discharged. He is under the surveillance of the police and, being guilty of misconduct, he may be arrested and compelled to serve out his original sentence. This system must have a powerful influence in deterring a discharged convict from committing new crime in a country where there is a regular police, where its territory is comparatively small and where escape from prison is consequently difficult. But in our own country, where its territorial extent is so great and there is no organized police beyond the large cities, where vast states are only separated by mathematical lines, and the means of travel are so simple and unrestricted, the ticket-of-leave system is believed to be impracticable." Scott, *op. cit.*, pp. 92-3.

⁴⁸ *Prison Progress in 1916, Being the Seventy-second Annual Report of the Prison Association of New York*, p. 72.

12. Parole Practice in Massachusetts

Massachusetts has a Board of Parole of three members, of whom one is a Deputy Commissioner of Correction, appointed by the Commissioner, the other two (one of whom is the chairman) are appointees of the Governor. One of the Governor's appointees devotes only part of his time, on the average not more than two days weekly, to his parole duties. Though this board is supposed to be a unit of the Department of Correction,⁴⁹ it is in fact, for all practical purposes, an independent organization. Permits to be at liberty on parole may be granted by the board "to prisoners in the penal institutions of the commonwealth or transferred therefrom to jails or houses of correction," release on parole of prisoners in other institutions being within the power of local authorities.⁵⁰ The prisoner appears before the board at stated intervals, having made application for permit to be at liberty in accordance with a time-schedule, based partly upon statutory prescription and partly upon the rules of the parole board, which are from time to time revised.⁵¹ The board meets about a month before the time when prisoners are, according to its schedule, to be released if their applications are approved. This time is allowed for employment to be obtained and the home of the prospective parolee to be visited. The meetings of the board occur at the various penal institutions.

Applications for the permit to be at liberty under parole are forwarded to the board by the Superintendent of the Reformatory, together with "a report of the prisoner's conduct and industry, a statement concerning the prisoner's health, and any other information respecting the case which the . . . superintendent can supply,"⁵² these papers being sent to the board sufficiently in advance for their consideration.⁵³ The dossier supplied to the board includes among other items the psychiatrist's report on the inmate.⁵⁴ If a hearing is denied the applicant, he may ordinarily renew his request for a hearing at the end of two months. If, after the hearing, the application is denied, the inmate may usually make another application for release on parole at the expiration of four months.⁵⁵

In the booklet of rules given the inmate on his entrance into the Reformatory, it is stressed, it will be recalled, that "the only *right* a man has is his right to be released at the expiration of his *full* time," but that "in deserving cases . . .

⁴⁹ General Laws, chap. 127, sec. 1. The Department of Correction, a branch of the state government, has general control of the state penal institutions and inspective authority over the county institutions.

⁵⁰ *Ibid.*, sec. 128.

⁵¹ See Chapter X, p. 166.

⁵² General Laws, chapter 127, sec. 132.

⁵³ *A Manual of the Massachusetts Reformatory for the Use of Prisoners*, 1925, pp. 11-12.

⁵⁴ See p. 43.

⁵⁵ *Manual*, pp. 13-14.

where it can be reasonably assumed that a man will be better off outside of the reformatory, he may be given the privilege of parole, which means that he is still serving his sentence and is liable to be returned to the reformatory by the Board of Parole, if his conduct warrants it, and is allowed his liberty upon his word of honor that he will go straight and will live up to the terms of his parole."⁵⁶ A man violating the conditions of parole "or any law of the commonwealth" is supposedly returned to the institution; the permit to be at liberty is rendered void by such violation and may be revoked.⁵⁷

Among the things that "count toward a parole," the inmate is told on his entrance to the institution, are the following:

"1. Whether or not a man has profited by his stay in the reformatory and has so far reformed as to be unlikely to commit another offense.

"2. His conduct record while in the reformatory.

"3. Whether or not a man has suitable employment awaiting him upon release. Ordinarily a man will not be released upon parole until suitable employment can be found for him to go to upon his release.

"4. The attitude of the man toward his relatives and friends, and whether or not he has a home or other proper surroundings to go into, in order that his living conditions may be suitable.

"5. A man's ability to tell the exact truth when interviewed by the examiner or the Board.

"6. The seriousness of a man's offense, and the circumstances surrounding it.

"7. His previous record in court or otherwise.

"8. The appearance which a man makes before the Board in applying for his parole.

"9. Behavior on former parole.

"There may be other facts which would control the action of the Board, but if the Board is not satisfied on any of the above points, it reserves the right to withhold the privilege of a parole."⁵⁸

Among the conditions to be "faithfully observed" by the parolee, and set out in the permit given him on his release on parole, are the following:

"1. He shall observe all the laws of Massachusetts, and of the United States, and of every jurisdiction in which he may be.

"2. He shall be industrious and discreet in his conduct.

"3. He shall associate with no persons of questionable character, and avoid barrooms and places of ill repute.

"4. He shall abstain from the use of intoxicants [and drugs].

⁵⁶ *Ibid.*, p. 8.

⁵⁷ General Laws, chapter 127, secs. 147-8. See p. 167, where the number of actual revocations of the 510 men studied is given.

⁵⁸ *Manual*, pp. 9-10.

"5. He shall obtain permission from the Commissioner of Correction before leaving his employment, or changing his place of residence, and without such permission he shall change neither his employment nor residence.

"6. He shall report to the Commissioner of Correction once each week for the first month and thereafter once each month until the expiration of his sentence, unless otherwise ordered by the Board of Parole. He shall give his home address, place of employment, and such other information about his circumstances as the Commissioner may require.

"7. [He shall not leave the State.] " ⁵⁹

In addition to these conditions printed on the parolee's permit, other stipulations are occasionally added in writing. In October 1918 the following condition was added for the duration of the war:

"He shall, until he shall enlist or be inducted into the military or naval service of the United States, remain employed upon work prosecuted at the instance of the United States Government, for the promotion of the furtherance of the war aims of the nation." ⁶⁰

Shortly after the board has voted to release a prisoner on parole, a parole agent ⁶¹ visits him for the purpose of finding out where the parolee is to live and work, "and to get any other information that will help in making his parole successful." ⁶² Forms are sent out to be signed by those who promise to give the parolee a home and those who promise to give him employment. When these forms, properly executed, are received, a parole agent makes an investigation by visiting the proposed home and place of employment and rendering a report on them. ⁶³

When the prisoner is released on parole, the terms and conditions of his liberation are carefully explained to him and he is given a small sum of money and an outfit of clothes.

As to the parole officers' duties, agents are requested to visit parolees within a week after their conditional release and each month thereafter. They are also requested to see each parolee before going on their vacation. If an agent does not find the parolee at his home, he is required to visit him at his place of employment. ⁶⁴ Reports of visits of parole agents to parolees must each week

⁵⁹ The words "and drugs" did not appear in 1917, and in September of that year condition No. 7 was added.

⁶⁰ Letter of April 25, 1927, from the Massachusetts Department of Correction.

⁶¹ Parole agents are appointed by the Commissioner of Correction from a list of eligibles supplied by the Civil Service Commission. Agents make all reports to the Deputy Commissioner, who is also a member of the parole board.

⁶² *Ibid.* This provision has been in force only since 1919. See pp. 174-179, where the extent of parole supervision of our 510 men is set forth.

⁶³ *Ibid.*

⁶⁴ *Ibid.* For the actual visits made by parole officers in the case of the 510 men studied, see pp. 177-178. Beginning about a year ago, parole officers have been instructed to acquaint parolees with educational opportunities and social-service facilities. Parolees who leave the state are now attached to local probation officers, who are requested to send periodic reports to the parole department.

be handed to the Deputy Commissioner, who supervises their work, and these reports, rendered on small slips,⁶⁵ are "inspected by the Deputy."

The following additional items as to parole practice in Massachusetts were supplied by the Deputy Commissioner of Correction in charge of parole:

"When a parolee leaves his employment the agent should see his employer and find out why he left. If he is out of work and lives near Boston he should come to the office to see his parole agent who will advise him in regard to securing other work.

"Parolees are not allowed to associate with other parolees.

"If a parolee marries while on parole it is the duty of his agent to verify the marriage. The parole agent must insist on a parolee providing proper support for his wife and children.

"The agent must also see that those parolees who need to continue their medical treatment for venereal disease are attending the clinic regularly.

"If the agent finds that a parolee, or a member of his family, is in need of medical or social help he should try to tie him up with the proper medical or social agency, to call his attention to educational facilities.

"A parolee is not allowed to leave the state without special permission from the Board of Parole. Before the parolee is allowed to go his proposed home and work are inspected by a local probation officer or representative of some other suitable agency and the parolee is instructed to take his reports to the local representative for his endorsement before it is sent to the Department of Correction.

"If the parolee violates his parole by indiscreet conduct or by being found guilty in court of a felony or misdemeanor, it is the duty of the agent to get all the facts of the story from the police and other sources, and write them up for the Board of Parole. These facts are carefully considered by the Board of Parole to determine whether or not the parolee should be returned for violation of his parole.

"When the parolee's sentence expires an encouraging letter is sent to him by the Deputy Commissioner, notifying him of this fact."⁶⁶

It will be seen that the directions given parole officers are intelligent and constructive. But a number of these parole principles were not in force at the time when the prisoners studied in the research upon which this book is based were on parole. Nor can it always be concluded that the directions theoretically at the basis of parole practice are actually being carried out. The extent of parole supervision of the men involved in this study will be indicated in Chapter X.

On the basis of this description of the Massachusetts Reformatory and parole system we are in a position in the following chapters to investigate the careers of a considerable group of human beings to whom reformatory and parole methods have been applied.

⁶⁵ The slips contain the following headings: "Parole visit, Name, Prison, No., Home address, Employment, Wages, Date of last report, Is this a medical case? Date of last visit to clinic, Remarks, Date of visit [of parole agent], Agent."

⁶⁶ Letter cited.

CHAPTER IV

A SHEAF OF LIVES

1. Introductory Comments

With the picture of the Reformatory and its regime in mind, let us now make the acquaintance of a number of human beings who have passed through the institution. This should give us the proper orientation towards the more impersonal statistical treatment of our problem which is to follow.

The case-history summaries presented in these pages have been selected from the mine of case material upon which the findings of this research are based, to illustrate various points. They embrace only the more significant events in the lives of the men. They are therefore not presented as models of records to be kept by public or private agencies which deal with delinquents and criminals. Our object has been to afford the reader a more realistic conception of the human beings we call criminal than can be obtained from considering the various factors and forces involved in misbehaviour, in the mass and abstractly.

2. The Restless Spirit

Frank is the eldest of six children of Italian parents. His father is a city labourer. Although none of the members of his immediate family has ever been in conflict with the law, except his father, who was arrested over thirty years ago for gambling, two of his cousins are known criminals. The family has just managed to make ends meet financially. Living-conditions have always been poor. There was much overcrowding. The children ran about the streets wholly uncontrolled.

Of his developmental history it is known that Frank, at the age of ten months, had spinal meningitis, followed by typhoid fever. When he was one year old, he suffered from convulsions, which recurred for a year, but which were apparently not diagnosed.

As a little child, Frank frequently ran away from home. When he was six years old, he was sent to a children's protectorate for three months and then returned home. At the age of eight he was arrested for truancy and was committed to a "parental school" for one year.¹ Very shortly after his return home he was again arrested, this time for larceny of a team of horses, was returned to the parental school for two years and, returning home, was soon thereafter once

¹ The Suffolk School, at Rainsford Island, to which Frank was committed, was an institution for habitual truants or "habitual school offenders." It is no longer in existence.

more arrested for larceny of a team and again committed to the "parental school" for three years.

Frank had schooling until he was fourteen, at which age he had reached the seventh grade. He was, however, a continual truant; he did practically no work, spending most of his time at the moving-picture shows and baseball games. By the time he was fifteen years old, Frank smoked and chewed excessively, was habituated to beer and whisky, and was a confirmed and excessive masturbator.

When he was sixteen, some two years after his second release from the parental school, Frank was once more arrested for larceny of a team and received a five-year "indeterminate" sentence to the Massachusetts Reformatory. Did this grave experience "reform" him? Did it at least frighten him and thereby act as a deterrent?

During his parole from the Reformatory, Frank was again arrested for larceny of a team and received a new sentence to the Reformatory. On these two sentences he served a total of fifty months. Up to this stage in his career no diagnosis of him, no attempt to probe his motivations, had been made by any agency or institution that had dealt with him.

During his second parole from the Reformatory, in 1917, at the age of twenty, Frank was again arrested for larceny of a team. An examination at the Psychopathic Hospital was thereupon ordered by the court. He remained under observation for a month and was returned to the court with the diagnosis of "moron."² He was then committed to a school for the feeble-minded, where the diagnosis was made that Frank has a mental age of eleven years and one month and is a "psychopathic delinquent."³ At the school for the feeble-minded Frank proved very troublesome and quarrelsome. He incited the other boys to rebellion and insubordination. He even planned an escape and ran off taking a dozen boys with him. Upon being captured he was transferred to a state hospital for the mentally ill, having remained at the school for the feeble-minded only two months. His sojourn at the hospital, where he had been diagnosed as an imbecile, was almost as brief. After six months he escaped, ran away to New York City, remained there a week, and then returned to Boston. Being captured, he was recommitted to the hospital; but two days later, on the promise of his father to supervise him carefully, Frank was released.

His adventures were not yet ended; in fact they had just begun. After remaining home for three weeks, Frank was again committed to the state hospital by his father, because of his refusal to work and his frequent attendance at motion-picture shows. This time he remained for six months. But his entire being apparently revolted at restraint. Again he escaped, wandered to a small

² See p. 156, where the intelligence grades of the entire group of men studied are given.

³ See p. 157, where the mental make-up of the entire group of men studied is given.

town in New Hampshire, where he stayed for three weeks, returned to Boston, and after a week surrendered to the hospital authorities. But within a few days these officials again released our turbulent wanderer, at the request of his parents.

Frank was now twenty-three years old. He stayed at home for a few weeks and then went to Fall River, where he lived with a cousin for a brief period. Then he joined the circus for a month, and shortly after returning to Fall River was arrested for burglarizing a jewellery store with an accomplice. He was sentenced to a house of correction for one year. Because of two alleged attempts at suicide by hanging, Frank was transferred to the Massachusetts hospital for the criminal insane, where he remained for a year and a half and was then discharged because of expiration of his sentence. The report made on his discharge was: "Condition not improved; Diagnosis: Mental Deficiency."

Frank returned home. But not for long. Within a few months he became restless, got a job on a boat, and shipped to Havre and thence to Liverpool. There he served a month in jail for not having registered. Upon his release he signed up for a voyage to Genoa. Returning to Liverpool, he was sent home by the American Consul.

Two weeks after his arrival in Boston, Frank was arrested for "larceny from the person." Again he was ordered by the court to the Psychopathic Hospital for examination. There he remained for one month's observation and was then returned to the court with the cryptic diagnosis: "Not insane; moron." Upon this report the court sentenced Frank to the Massachusetts Reformatory for a third time.

Examined by the Reformatory physician, Frank was diagnosed as a psychopath and a moron. It was also found that he now needed treatment for syphilis. During this third stay in the institution whose graduates we are studying, Frank not only was extremely difficult to manage, but once swallowed ink and soap in attempted suicide.

Concerning his industrial experiences in the Reformatory, where he worked as an unskilled labourer, it was found that Frank "would work if he was handled right" — that is, "kidded along and made to believe what a good fellow he is and how strong he is; but even then he requires constant watchfulness."

This time Frank remained at the Reformatory for thirty-one months. During his stay he wrote to the Commissioner of Correction requesting transfer to a house of correction, so that "I could be near my people and they can come to see me. I should not be in a criminal institution. I should be in a state hospital for the insane. I have been in the Massachusetts School for the Feeble-minded and in the D— State Hospital for the Insane, and the B— State Hospital for the Criminal Insane. P. S. And if I do not get transferred I will commit suicide and end it alltogether. Please think it over."

Frank, as was said before, made several apparent attempts at suicide. One of these consisted in his banging his head against the wall, and another in trussing himself up with his suspenders. When the last attempt was discovered, it was noticed that there was no great amount of strain upon his neck, his feet were upon the floor, his breathing was natural, and there was no discoloration of the face. His excuse for these actions, as told to the Reformatory physician, was "that there is no use in living"; that everybody is "down" on him; that he can't get along anywhere, and similar infantile expressions. He stated that he would kill the person responsible for his serving these sentences if he ever got a chance. The Reformatory psychiatrist found, however, that Frank was not insane (evidently believing him to be a malingerer), but "a low-grade, feeble-minded person of the type who should be permanently segregated." And permanent segregation was perhaps the most sensible way to handle Frank's case in the light of society's present limited facilities for coping with unusual personality problems.

But after thirty-one months in the Reformatory our turbulent spirit, now twenty-seven years old, was once more released on parole. Shortly thereafter he enlisted in the army, and soon deserted. Then he enlisted in the navy as an apprentice seaman, but received a dishonourable discharge two months later for being absent without leave.

During a furlough from the navy Frank was sentenced to two years in the Missouri Penitentiary. By this time his parole period from the Massachusetts Reformatory had run out.

We come now to Frank's history during the five-year period following the expiration of his last parole from the Reformatory. Upon his discharge from the Missouri Penitentiary he again returned to Boston. Soon thereafter, at the request of his family, he was again committed to the Psychopathic Hospital. This time a diagnosis of "Psychopathic Personality" was made, but no recommendation regarding treatment or institutional care was given, and Frank was discharged to the care of his family. His stormy soul would not rest. He soon enlisted in the Marine Corps. While stationed in North Carolina, he overstayed his leave during one of his furloughs, and travelled to New Bedford, Massachusetts. A few months later he reported to the local naval station and there awaited general court martial. In the mean time he was committed to the Chelsea Naval Hospital, where he received treatment for gonorrhœa. Within a short time he was discharged from the Marine Corps on the ground that "because of his mental calibre, it was believed that court martial proceedings for A W O L would serve no useful purpose."

Frank returned to his parents. Two months afterwards he went to New York, where he again attempted to enlist in the Marine Corps, but was rejected in view of his prior undesirable discharge from the navy. Returning to Boston, he was soon arrested for larceny of an automobile, having no licence and no

registration. For a fourth time he was sentenced to the Massachusetts Reformatory, where he remained but one month. This time he was diagnosed by the institution psychiatrist as a "responsible offender"⁴ and "formerly a sex pervert." The psychiatrist was apparently impressed with the change in Frank, for he recorded of him: "This man's case is the most striking example in our records of the benefit to be derived from the regaining of self-control by a confirmed masturbator. Is very co-operative and willing to work, is studying bookkeeping, and is very proud of his achievement. Is very earnest in crediting his improvement to his mastery of his long habit of masturbation. Volunteers he has made up his mind it has not paid to steal."

But the Superintendent of the Reformatory requested Frank's transfer to some other penal institution: "He is now 33 years of age and will be, as he always has been, a bad influence here. I recommend his removal and urge that it be immediate because if he breaks the rules, as he is quite likely to do any time, his removal thereafter will create a bad impression in the minds of others."

Frank was therefore transferred to a house of correction, but after staying there but one month he was committed to the Department for Defective Delinquents,⁵ where he has remained up to the present time. If, as in all but two of the states, there were no provision for the commitment of mentally deficient criminals for a wholly unlimited time (even for life, if necessary), Frank would still be wandering from pillar to post, a social nuisance and liability, a perplexed and misunderstood personality, clumsily trying to find his place in the sun.

Frank's family, who were interviewed, think that he is quite happy at the institution, having gradually adapted himself to the routine. Despite all the trouble that they have had with him, they still look upon him as an innocent, harmless, feeble-minded boy and of course believe that he should be with them and that they are perfectly able to take care of him. They say that throughout his life Frank has had a "periodic mania for wandering," which would come on after a quiet spell, when he seemed inclined to work and to live peacefully.

⁴ "A person who shows capability of being a producer socially without assistance or supervision, that is, a person who can earn an honest living in open competition" (Letter from Reformatory psychiatrist).

⁵ In 1922 Massachusetts established a special institution for "defective delinquents," defined in the statutes as a defendant who is "mentally defective," who, "after examination into his record, character and personality . . . has shown himself to be an habitual delinquent or shows tendencies towards becoming such," provided "such delinquency is or may become a menace to the public," and who "is not a proper subject for the schools for the feeble-minded or for commitment as an insane person" (General Laws, chap. 333, sec. 113). Commitment results only after the filing of an application for commitment as a defective delinquent by "a district attorney, probation officer or officer of the department of correction, public welfare or mental diseases" "at any time prior to the final disposition of a case in which the court might commit an offender to the state prison, the reformatory for women, any jail or house of correction, the Massachusetts reformatory, the state farm, the industrial school for boys, the industrial school for girls, the Lyman school, any county training school, or to the custody of the department of public welfare, for any offence not punishable by death or imprisonment for life" (Ibid.).

Then he would simply drift away and they would hear nothing from him for weeks at a time. His last sentence to the Reformatory was for stealing his sister's car. She told the investigator that Frank had always begged to be allowed to use it and that she had told him she would permit him to take it some time provided he would have some friend with him who was a careful driver. On the occasion in question she was not at home and he used the car without her permission. Thinking that the auto had been stolen, she reported the fact to the police, and she supposes that if she had gone to the court and explained matters her brother would not have been returned to the Reformatory, or transferred to the house of correction and thence committed to the Department for Defective Delinquents.

No better illustration can be found of the as yet imperfect state of psychology and psychiatry and the lack of co-ordination of our socio-penal facilities than the career of Frank. Not one of the numerous agencies that dealt with this wanderer seems to have studied him with sufficient thoroughness to understand and be able to explain the dynamics of his personality. Not a single institution appears to have improved his condition. Obviously our superficial treatment of offenders will aid us neither in comprehending the rationale of misconduct nor in protecting society.

3. "*Hard-boiled*" John

John explains the genesis of his criminal career thus: "I never thought I would let myself go. Up to fifteen or sixteen I was about like other kids. I liked athletics and took part in them. I read books from the library, kept good hours, and all that. My parents took me out of school and put me to work and took all of my wages except fifty cents each week. I worked about a year, then I began going with a girl and she liked a good time. You can't give a girl a good time these days, even in N— [a small Massachusetts town], on fifty cents a week. The old man wouldn't give me any more. I was sore and had it on my mind: how could I make more money? One day along came a fellow I got acquainted with. He was a 'right guy' [that is, a good thief; an intelligent, capable fellow who knows the business and will 'divvy with you and not do you dirt']. We put through a lot of jobs in N— and got away with it, and I have been at it ever since."

John's parents own their home in N—. His father is foreman in a factory. His family has always just been able to make ends meet. John is one of three children. Up to the time of his misconduct no other member of the family had ever been known to be delinquent.

John did not work very long before he left home to roam about the country. He admits having first had heterosexual experiences at the age of fifteen. When he was sixteen years of age, John was arrested with a companion for breaking,

entering, and larceny, and sent to the S— Industrial School.⁶ Not long after his release, at the age of nineteen, he again began to roam about. During one of these freight-riding expeditions he had “dropped off a freight train in F— to look about the town and after staying there for about half an hour was on my way back to catch another freight into Boston when I was placed under arrest by a policeman. I pulled a loaded revolver out of my pocket and told him to stick his hands up. He did for the moment, but then he jumped at me and took the gun away.” John was charged with being armed with a dangerous weapon and with assaulting and beating a police officer. It developed that this officer, in making his rounds on the previous morning, had heard suspicious noises in the rear of the P— Factory and on investigation learned that John had been prowling around there. The assault and his arrest followed. John refused to give any explanation whatsoever regarding himself until after he had been sentenced to the Reformatory. The story there given by him was wholly false, and it was only with the aid of the police of F— that his true identity was finally ascertained.

John spent sixteen months at the Reformatory on this sentence. His physical condition was found to be good and he was designated a “responsible offender” of “dull normal” intelligence. For fifteen months he worked in the tailoring-shop. He violated institutional rules on an average of once in two and two-thirds months, which is much more frequently than the average for men in the institution. His offences usually consisted in outbreaks of violence; he assaulted an inmate and frequently fought with officers and inmates.

When John was released on parole he went home to N— to live with his parents. His father secured a job for him as a roofer, which he held for three days. During that time he robbed his employer, taking about three hundred dollars’ worth of jewellery. He left a note for his parents saying that he was going away to Texas. For some time he was a fugitive from justice. Finally he was traileed to Chicago and shortly thereafter was arrested by the police of his home town. He received a new sentence to the Massachusetts Reformatory — this time for larceny. The parole officer characterized him as “a highwayman.” John affected a wide-brimmed hat, a red bandanna handkerchief, and a belt with a revolver in it, and assumed the sobriquet of a Western outlaw. During this second incarceration his conduct was as bad as formerly. Again he frequently assaulted inmates, refused to work, and was thoroughly incorrigible in every way. This time he spent twenty-eight months in the weaving-shop.

⁶ This school, located near Boston, is “an open institution, organized on the cottage system, for boys from fifteen to eighteen years of age at the time of commitment. The inmates live in cottages. Normal capacity of the school, 284. Academic and industrial training is given, the emphasis being placed on the practical teaching of trades. Commitments are for minority. After training in the school, boys are placed on parole, in charge of the Boys Parole Branch,” an office under supervision of the Massachusetts Department of Public Welfare, as are also the industrial schools (*Annual Report of the Trustees of Massachusetts Training Schools for the Year Ending November 30, 1927*, Public Document No. 93, pp. 3, 22).

Upon his second release from the Reformatory, John was twenty-three years old. He again began to travel about and soon was once more arrested for breaking, entering, and larceny. This time he was sentenced to the state prison for from ten to twelve years. During this term of imprisonment he made an unsuccessful attempt to escape.

When interviewed at the prison, John frankly stated that he was an outlaw, a professional thief by choice. "I feel that anything that I can get away with is all right." He made it plain that he was not blaming anyone or any institution for his condition. He was eager not to "pass the buck" to anyone. He admitted having done whatever he has been accused of, "and a lot more." He took the attitude that crime is his business in life, deliberately entered into, and he expects to retain this view as long as he lives. Superficially, at least, he appears to have no moral standards and apparently, as far as property rights are concerned, he has absolutely no scruples.

There is a note of bitterness in John's attitude: "I do not think that life is worth living. For humanity in general I have nothing but the utmost contempt." He seems to have no group loyalty whatsoever — for the State, the Church, his prison associates, or even (and this is unusual among criminals) "the gang." He says that when he came out of the Reformatory, he met a good many fellows with whom he had become acquainted there, but they were "pan-handlers." "They always wanted to borrow money from me. They would want me to go with them and do some petty stealing, but I got rid of them. Why should I be such a fool as to get into petty larceny? I have learned not to trust people. They say thieves won't do each other, but they will. I was with a fellow once, treated him white; and he did me dirt."

When pressed as to his reason for continuing in crime, John gave his philosophy very frankly: "If I had all the money I wanted, I would be just as honest as anybody. That is, if I had enough so I could do what I wanted to without working. I never liked work. I hate it and never will work. If I had money enough to travel all over the world and take my ease, nobody would be more honest than I. I have never committed a crime for the sake of doing the crime. Of course there is a certain 'kick' in driving up to a place in an automobile, putting through your job, and making your get-away. But there is not enough in it to attract me for the sake of the kick. I want the money. I have been in this game for ten years and am looking forward now to doing some big things when I get out. These fellows who do these small things are nothing but pikers. They don't know their business. You've got to do this thing the same as any other business. When I was caught before at one time I had about fourteen thousand dollars' worth of jewellery, but I didn't know any better than to go and see my girl, and cashed in only enough to pay my expenses to go to her, and they caught me." He pondered awhile and then:

"They have schools here in the prison and I am going to get all the education I can get — not to reform myself, but to make myself more dangerous to society."

It is difficult to say how much of John's attitude is mere bravado. A much deeper and more time-consuming personality analysis would be necessary if one would penetrate to the inner core of his motivations.

John was asked whether, if he had a son, he would train him to be a professional outlaw. "If I had a son," he snapped back, "I would wring his neck. Do you think I would ever be guilty of bringing a human being into the world?" This outburst he did not offer to elaborate.

John admits that during the periods when he was roaming about the country he had been committing crimes from coast to coast and had been in jails all over the land. "I have been in them from coast to coast and S—⁷ is the worst institution I have ever been in. When I came out, I carried marks on me that were from beatings I got at S—. I was treated rougher there than any prison I was ever in." John asserts he left this industrial school with a feeling of intense hatred toward society, and it is partly to this that he ascribes the continuance of his professional criminal career.

It may be said in closing that the state-prison psychiatrist diagnosed John as a "moron" and a "psychopath."

It is to be noted that John will soon again be released into the community, as he is eligible for parole.

This case illustrates how difficult it is to penetrate certain personalities met with in penal institutions. Confronted by the attitude evinced by John, the officials of the modern prison can only react by repression born of ignorance and a sense of danger. This reaction in turn reinforces and intensifies the anti-social attitude of the prisoner, who is quick to find justification for his point of view and conduct in the treatment he receives at the hands of law-enforcers.

It is obviously futile to maintain such a person in prison for a number of years, under the unimaginative, mechanical, mass-treatment regime of a system of repression, only to turn him loose on society at the end with a more grudgeful, embittered, cynical, and sinister outlook on life than he had when he entered.

Nothing less than a patient, penetrating course of friendly psychological analysis followed by proof of personal interest and friendship can be expected to pierce this wall of defence and defiance which the prisoner has built up around him. But such procedure is unheard of in the modern prison, even where a psychiatrist is present. For he is concerned rather with the routine of examining and classifying inmates on their admission than with the much more important therapeutic possibilities of the individual prisoner. Psychiatry,

⁷ An industrial school for boys to which juvenile delinquents are committed.

or any other art purporting to deal with the stresses and strains of the human mind, will get nowhere unless and until a serious effort is made to experiment with various forms of personality analysis of criminals and with different methods of psychotherapy and character reorientation. To call this man a psychopath and stop there is not the beginning, but the end, of wisdom.

4. Varied Fruits of the Same Tree

Armand and Robert are brothers, Armand being four years Robert's senior. These youths are two of a family of eight children. They were both born in Chelsea, Massachusetts, of French-Canadian parents. The father was a carpenter, who had steady work, but earned small wages. The family had to plan closely to make ends meet. Because of their poor economic circumstances they were forced to live in a cheap tenement district, where the street influences were none too good.

Armand, the older brother, would stay away from school very often for any excuse whatsoever. By reason of these frequent absences he had to repeat several grades. He finally left school in the fifth grade at the age of thirteen, and soon thereafter went to work. He showed considerable capacity, but because he ran about the streets with a gang of youths who did not believe in working, he did not remain on the job steadily. He did hold one job in a rubber-factory for a year and a half, however, and became a semi-skilled factory hand.

He was introduced to heterosexual experiences at the age of fourteen.

When he was sixteen, Armand was arrested for the first time for stealing iron from the railroad, for which offence he paid a fine of three dollars. About a year later he was again arrested, this time for larceny of a bicycle; and he was placed on probation. During part of the probation period he worked well and kept away from his bad companions. After a few months, however, he threw up his job and did not report regularly to his probation officer, who therefore surrendered him to the court, which placed Armand on probation a second time. He again began to work, but lied to the probation officer about his place of employment. Finally he ran away from home, and his parents did not know where he was. They had tried very hard to keep him working steadily, but with no success.

In 1913, when Armand was twenty, he was arrested for the offence for which he was sentenced to the Reformatory — breaking and entering a store with a companion. Armand took only postage stamps. The other youth was placed on probation; and Armand was sentenced to the Reformatory, where he served twelve months of a five-year indeterminate sentence. The entrance clerk or "examiner" at the institution, whose duty it is to interview new-comers and make a note of his impressions, said of Armand that he was "very pleasant during the examination, answered intelligently, and had a good memory."

He found the youth, however, "somewhat lacking in maturity of thought," and concluded that "employment to which he is adapted and good associations might make a different fellow of him. They would seem to be the two greatest requisites for his doing well."

On examination by the Reformatory physician, Armand was found to be in fair physical condition; of "borderline" intelligence, and very suggestible. It was also the physician's opinion that the new inmate "is a thief of long training."

Armand was given no industrial schooling whatsoever at the Reformatory; he was engaged wholly in unskilled work. He was spoken of as "a willing, industrious worker" and one who "is always willing to do more than he is told. His conduct has been excellent." He was assigned to the fourth grade in school and was advanced to the fifth. His conduct there was satisfactory in every way. He committed only occasional offences while in the Reformatory — that is, an average of one offence in four months — and his offences were relatively minor, such as talking and "fooling."

Upon his release at the age of twenty-one, Armand went to live with his family, with whom he remained for about a year, making occasional trips away from home to New York City, Philadelphia, and Maine, presumably to seek employment. While on parole he held each of his jobs on an average of three months, working as a farm hand, watchman, restaurant hand, and painter, and in machine-shops.

Thirteen months after his parole from the Reformatory, Armand's permit to be at liberty was revoked because he had left his home and employment and had not reported the fact to his parole officer. The warrant for his arrest was for some reason withdrawn, however. Soon thereafter Armand married and went to Lynn, Massachusetts, to live, where he obtained employment with the General Electric Company at twenty-five dollars a week.

About a year later, at the age of twenty-three, Armand was again arrested for larceny. While he had been working for the General Electric Company, a watch belonging to another employee was stolen. Armand was not arrested, but he left the employ of this company. Some two months later the watch was discovered in a pawnshop, and Armand was then arrested by the police, the case was dismissed, and upon revocation of his parole permit he was returned to the Reformatory, where he remained for nine months.

During his second stay at the institution Armand's wife made many pleas for his release, saying that he had worked steadily and had been a good provider and a good father, and, somewhat inconsistently, that he had stolen the watch because she and the child were both starving. It is true that Armand had great financial stress during this period. His wife was not well and there were many doctor's bills, not only for her, but for the baby, to whom he was very much devoted.

Soon after Armand's second release on parole, he enlisted in the navy, where he served for six months and was honourably discharged.

During his post-parole period Armand has been a good husband and father. He has been working as a house-painter now for seven years off and on, receiving very good wages; during dull spells he has taken jobs for other contractors. He often works evenings painting in order to add to his income and spends what leisure time he has with his wife and two children. He has been able to save enough to buy a small three-room cottage and owns a Ford. He is trying to save enough money also to go into business for himself. His wife, an American girl of English parentage, is a rather energetic person, who is evidently the "boss" of the household. She is very loyal to Armand, and during his second period in the Reformatory she worked in order to support their child. Armand attributes his "reform" to her influence. Since his last return from the Reformatory he has altogether and permanently changed his ways of using his leisure time. He no longer hangs about poolrooms and has come to the conclusion that the pleasures that such recreations offer are illusory. "My wife and my kids are my pleasure now." His wife is Protestant, and Armand is Catholic. She goes freely to her own church and he, though nominally a Roman Catholic, rarely attends church.

Armand is now thirty-three years of age. On looking back over his experiences he thinks that his early delinquencies were due to misdirected playtime, and that little by little the gang that he went with got into the habit of doing things to annoy the police. They enjoyed it as a game, and largely in a spirit of fun they learned the habit of raiding fruit-stands and stores. He asserts that a little later on he had met a "really tough fellow" through these companionships, a youth completely given over to crime, who induced him to commit the larceny for which he was sent to the Reformatory. Armand says that the first time he was sent to the institution, he felt resentful because he had been punished much more severely than his companions. But he soon got over it because of the fair treatment he received at the Reformatory. He is convinced that the fact that he has a loyal wife and had a home to which to return on his second release from the institution kept him from further crime.

Armand claims that he cannot see that the Reformatory had anything to do with changing his way of living. "They revoked my parole and sent me back there a second time. That shows they didn't reform me, doesn't it?" He points out that he did not receive any industrial training at the Reformatory, since he was kept only on plain, rough labour. Nor does he regard his parole oversight as having been either constructive or helpful.

Earnestly he offers his opinion as to how to cope with the problem of delinquency: "You got to grab them out of the cradle!" This he elaborates:

"Young boys in their playtime contract wrong habits which, if uncorrected, lead to criminal conduct."

These are the high lights in the life of Armand, and this his penal philosophy born of personal experience. Let us turn now to Armand's younger brother, Robert, and retrace the significant footprints left by him on "the sands of time."

When Robert was eleven, he was placed in a denominational children's protectorate by his parents, because he so frequently truanted from school. There he remained for only six months and then returned home. His mother recalls that at that time the priest told her he did not think that Robert was mentally normal. Robert attended school until he was fourteen, and largely because of his very frequent truancy he never got beyond the fourth grade. After he began to work, at fourteen, he, like Armand, ran about the streets with boys whose influence was altogether unwholesome. He bunked out often for the whole night. He showed that he did not have as much capacity for work as Armand, and loafed about a good deal. The longest job he held was one for eight months in a rubber-factory.

When Robert was seventeen, he was arrested for larceny. The court imposed a six months' sentence to the House of Correction, but Robert "appealed," and in the Superior Court he was placed on probation.⁸ His brother Armand had two years previously received his first sentence to the Reformatory and was now out on parole. A few months after Robert was placed on probation, he too was sentenced to the Reformatory for breaking, entering, and larceny with two companions. They broke into a cellar, took one sweater, two pillows, and four yards of carpet—the total value of these being ten dollars. These boys had also broken into a store at night and taken tobacco and cigarettes.

Robert spent eighteen months at the Reformatory on this sentence. The examiner there found he had "very little education, almost no memory, and his mind operates very slowly. His moral development is as defective seemingly as his mental. He began his downward career as a truant. He has had a tendency to steal and has added to his criminal acquirements the bunking-out habit of the vagrant. Has little inclination or capacity for industrial pursuits. Regard him as a defective delinquent."

The mental examination disclosed that Robert is a "moron and a sex offender." He violated institutional rules occasionally—that is, on the average of once in seven months. His offences were gross carelessness, being out of place, malicious mischief, talking, causing disturbance in school, and others.

Robert was assigned to the "sloyd" class (manual training) and to the cloth department. He also worked for a time in the stockade. The instructor in the sloyd class said of him that he "was industrious, but of inferior capa-

⁸ This "appeal" in Massachusetts consists of a re-trial of the case in the upper criminal court. It is frequently resorted to by offenders, as it almost always results in a reduction of sentence.

bility and does not get along so well with this work as he should." In the cloth department he was found to be "an industrious and capable creel tender." His disposition and conduct were good. In the stockade he was found to be of average capability, quiet disposition, and good conduct.

During his parole period on this sentence, Robert was again arrested for breaking and entering, and this time received a six months' sentence to the House of Correction, which he again appealed. In the Superior Court this case was "filed."⁹ For some reason, Robert's parole permit was not revoked as the result of this offence and he was not returned to the Reformatory.

When Robert was nineteen, he was again found guilty of breaking and entering, was sentenced to the House of Correction for six months, and promptly again appealed from this sentence to the Superior Court, which a month later sentenced him to the Reformatory. On this occasion he had forced open the door of an unoccupied house and taken from the premises lead pipe, faucets, and other articles.

On this sentence to the Reformatory, Robert remained for twenty-one months and was again placed in the cloth department, where he learned weaving. He was also given seven months' training in carpentry and again worked in the stockade. He worked willingly and cheerfully, but none of the occupations in which he was engaged ever required any great mental ability. He seemed very dependable, and courteous at all times. In the carpentry shop it was found that "he is capable along ordinary lines, but has little — if any — mechanical ability"; and that "his conduct is good." While Robert was serving on this sentence, Armand was returned to the Reformatory for violation of his parole.

Upon his second release, in February 1919, Robert went to live with his mother, and worked for a little over a month as a bolter in a ship-building plant. He then enlisted in the army and went overseas. After two years he was honourably discharged and a few months later re-enlisted. By that time his parole period had expired. Two years after his second enlistment he was dishonourably discharged because of "sentence to imprisonment by a civil court."

When Robert came out of the army, he went to live with his mother. He now did odd jobs off and on with coal- and ice-wagons and in pick and shovel work. For six years after his second release on parole he had not been known to commit any offences, and though he loafed a good deal and made some money "shooting craps," his conduct was not very bad. In 1925, however, at the age of twenty-seven, he was arrested for indecent exposure and received a four months' sentence to the House of Correction. He was at the same time also charged with larceny and breaking and entering and was given probation of six months on the larceny charge, and probation of two years on the charge

⁹ The practice of "filing" cases can be greatly abused, although it is often necessary for legitimate reasons.

of breaking and entering. His own account of the charge of indecent exposure is as follows: "I went down to R— to church on Sunday, and as I came out of church, it was quite necessary that I find a toilet very quickly, so I started for the railroad station, thinking I could get in there, but found it locked. I didn't think it advisable to wait longer, so went around to the side of the station, where I thought I wouldn't be seen. A girl, about sixteen years old, came along and, seeing me, screamed, attracted the attention of some boys, and they called a policeman, who arrested me. I didn't mean any harm. We had prunes for supper the night before and I seemed to have indigestion. That is the explanation."

During his stay in the House of Correction, Robert was examined by the State Department of Mental Diseases¹⁰ and was diagnosed as a moron. Close supervision by a social agency, with special effort to avoid old companions and surroundings, was recommended. It was asserted that Robert "does not appear to have any markedly vicious tendencies." A year after his release from the House of Correction, however, he again received a sentence of a year for indecent exposure, there being numerous complaints of him in this regard. For the past few years Robert has had no very close pals and seems to prefer his own company. He is rather bashful with a group, especially where there are girls.

Robert was interviewed by our investigator. He is a large, heavy-set fellow, with dark hair and oily skin. He admitted he has loafed about a good deal and spent his leisure time largely in poolrooms. He said that while he was at the Reformatory, the idea of "turning over a new leaf" gradually dawned upon him and that since leaving the institution he has tried hard to behave. His history, however, shows that, despite his good intentions, Robert may be regarded as a failure, not only from the point of view of criminality, but in other respects: He has not settled down to any steady work, has loafed a great deal, has left jobs without any thought of the future, and feels no responsibility whatsoever towards his parents or himself.

The questions presented by these two related lives are complex and fundamental:

(1) In the light of their similar family background, early habits, and general environment, why should one brother turn out well, the other so poorly? In

¹⁰ In 1924 an act (Mass. General Laws, chap. 309) was passed in Massachusetts providing for the psychiatric examination by the Department of Mental Diseases of convicted prisoners serving over thirty days (except for non-payment of fine) in a house of correction or jail and those known to have served a prior sentence. The histories being gathered by the Division for Examination of Prisoners of the Department of Mental Diseases are comprehensive, covering the school record and economic and social history of the prisoner, and embracing in addition psychiatric and psychological, as well as physical and neurological, findings. Copies of the case histories are forwarded to both the Department of Correction and the Commission on Probation, together with recommendations for transfer or other treatment of the individual prisoner. Very often these examinations represent the first scientific attempt to understand an offender of long-standing antisocial conduct.

one case, of course, there was a loyal and capable wife, whose very attitude and wholesomeness probably encouraged good behaviour; in the other case there was a continued influence of street life and lack of loyalties and ideals of a worthy nature. But were there not also fundamental differences in innate mental equipment and personality? And if so, should not this fact have been noted by the courts before whom these boys originally came? (2) What is society's responsibility with reference to the problem of the causes and remedies of truancy? (3) Is some mental condition related to the sex offences of Robert, and if so, could it not have been discovered in childhood or later and somehow controlled? (4) Why are not the courts before which Robert was brought for indecent exposure equipped with psychiatric facilities for observation and report upon cases of this kind? (5) Why do not our reformatory psychiatrists experiment with various forms of therapy? (6) What, in general, should be the role of psychiatry and psychology in the administration of criminal justice? Some of these questions we shall attempt to answer in the course of this study.

5. The Mental Defective in a Protected Environment

When Arthur, an only child, was but seven years old, his father, a coarse, crude, and brutal Pennsylvania coal-miner of Dutch ancestry, died. Both parents were native-born, of Protestant faith. The father did not send the boy to school, but forced him to work in the mines. There Arthur suffered a head injury, which a number of persons familiar with his early life believe may somehow have contributed to the boy's limited mental development. Upon the death of the father the home was broken up and the boy and his mother, a respectable and kindly woman, went to live at the home of a grandmother. It was then that Arthur began to attend school. He got no farther than the fourth grade.

Leaving school at fourteen, Arthur began to work as a farm hand for a brief time, and then as a moving-picture-machine operator. His industrial activity was, however, very sporadic and irregular. He passed from occupation to occupation, but seemed unable to remain very long at any kind of work.

When Arthur was seventeen, his mother remarried, and he went to reside with her in Springfield, Massachusetts. The stepfather was very kind to the youth. He noted, however, that even at that time Arthur could hardly read or write. Shortly after his mother's remarriage Arthur was arrested for "breaking and entering and larceny," having stolen a bicycle. He was placed on probation for two years. Arthur's probation officer said that while under his supervision the youth acted very strangely. He would do things on the impulse of the moment and then be sorry he had done them. The probation officer seems to have been particularly playful in his work. He had Arthur examined by the school psychologist, who found that the youth was "a typical moron in intelligence." The probation officer "tried various occupations for this boy—

electricity, work in a factory, on a farm; nothing seems to appeal to him." Finally it was arranged that he go to live on a farm, where he remained for a year. During that time it was rumoured that the youth was committing petty larcenies in the neighbourhood. Arthur complained that the farmer overworked him. "This boy," said the probation officer, "to my mind is more to be pitied than censured, because I feel that he should be confined in some institution not a penal institution, where they can take care of him for the rest of his life."

During his stay on the farm Arthur took from a shelf in the barn a shotgun belonging to the son of his employer, carried it to the woods, and hid it there. It was later found and returned to the owner. Arthur maintained that he had no intention of either selling or keeping the weapon, but had used it for shooting woodchucks. For this offence, however, he received a five-year indeterminate sentence to the Massachusetts Reformatory. The examiner there was of opinion that Arthur "is of very inferior ability, because he had received only \$15 monthly during his employment on the farm, and when he was a second class moving picture operator he received but \$12 weekly." He added that the latter "was the only work Arthur was interested in."

On examination in the Reformatory, Arthur's physical condition was found to be only fair. He was diagnosed as "a moron and over-suggestible." But the physician added that "with good supervision he might succeed."

Arthur remained at the Reformatory for sixteen months. He was given some training in the plumbing class and worked in the dining-room. The dining-room officer stated that he did not "consider Arthur mentally responsible, but that he does make an honest effort to do the work as well as it should be done. His principal difficulty has been his insistent talking, which it seems impossible for him to stop, and no warnings or repeated reports for this offense seem to have any effect on him." From the plumbing instructor the report was substantially the same. Arthur was considered "a fair worker, with very limited capacity." In the Reformatory school he was admitted to the fourth grade, but made very little progress. He committed institutional offences as often as once every three weeks. His violations of the rules involved not only talking, but disobedience of orders, persistent shirking, gross carelessness, lying, insolence, inattention, and similar acts indicating his inability to adapt himself to the institutional routine.

After sixteen months, at the age of twenty-one, Arthur was paroled. It was arranged by the parole agent that he should go to New Haven, to live with his mother and stepfather, who had recently moved from Springfield, because of the mother's illness. During this parole period Arthur, with the assistance and encouragement of his family, made every effort to keep at work and to lead an honest life. He was occupied fairly regularly, doing odd jobs at painting and gardening, as a plumber's helper, and in a machine-shop. He held these jobs on an average of three months. Whenever he was out of employment, he helped his parents at home, doing chores about the house. He succeeded in getting a "first-

class" licence as a moving-picture operator. He even attended an evening class to study reading and writing, an elementary class in electricity, and a swimming class. He joined a lodge. He attended church regularly. On several occasions he expressed his gratitude to the parole officer and the Reformatory. "I have been able to see how to live a better life," he once wrote. And again: "I like my work very much and I am so glad to be able to do it. I am at home with my parents and have no desire to leave them. We are very happy in the home, and I am content to stay there." His mother also was grateful. "Thanks for the training Arthur received," she once wrote. "He has got on the right road." Later she stated: "Arthur has been very good and the training he has received at the school has been a wonderful help such as put him on the right road for which I am very thankful." And again: "Arthur is a different boy since he came home. He attends church with us, he pledged to the church the sum of \$25 per year for three years beside his regular offerings and I am very glad to say he has kept his promise. We hope he may build himself up this summer in the outdoors work, he is right aside the shore so can bathe. I do not think we ever will have cause to worry over him again and I must say it is a big load off my heart."

Such was the story of the rehabilitation of Arthur until three years after the beginning of his parole period. When he was twenty-four, the progress he had made was suddenly broken by his arrest for burglary. He had entered the home of a friend and had taken some small things. His mother then wrote to the parole officer: "It is with much sorrow I have to tell you Arthur has broken his parole. But wants me to write and tell you. . . . I am sure you will agree with me prison is no place for a boy of his nature. He is kind and good only for that one fault. The training he got while at Concord made a new boy of him it done more in them few months than I ever thought could be."

The public defender of New Haven wrote to the Massachusetts parole board, asking that Arthur's parole permit should not be revoked: "The charge against him is serious in a way, yet there are some things connected with the facts that ought to mitigate the offense. First, he is mentally defective; and, second, his mother desires that he be given a chance on probation here. The Reverend —, a minister, is interested in the boy and wishes to take charge of him as special probation officer."

Arthur was not returned to the Reformatory, but remained in New Haven and was carefully supervised, both by his parents and by the minister. He continued to live with his parents and worked as an unskilled factory hand. Soon after the expiration of his parole period he married. Though he has been working fairly regularly, he has not been able to earn enough to tide him over during periods of unemployment. Both his parents and his wife's parents help him during such times. He has been able to earn as much as twenty-three dollars a week. Recently he moved with his wife and one child, three years of age, to a

semi-rural section not far from New Haven, where they live with the wife's married sister. His stepfather is of the conviction that Arthur's wife is a "darn sight too good for him." She is very much devoted to her husband, although once or twice she has been tempted to leave him because of his inability to keep at work steadily. Previous to his marriage he had become interested in a girl of very inferior family who was known to be feeble-minded, but this attachment was broken off at the time of his last arrest. His stepfather philosophized eugenically that "it would have been a misfortune to have two 'nuts' married."

Arthur has been idle about a third of the time during his post-parole period. He is the kind of worker who is taken on only in rush times, and then only for brief periods. His stepfather says that he does quite well under direction in electrical work and in such jobs as setting up and repairing radios, for which he seems to have a real liking. He has even made a radio set of his own. The stepfather thinks it is unfortunate that Arthur was not trained in work of that kind. It is his opinion that though the Reformatory helped Arthur somewhat, it did not give him a suitable industrial oversight, as the authorities evidently had not ascertained his particular capabilities and given him proper vocational training. He has always been mechanically inclined and had tinkered a good deal with inventions, a fact that the Reformatory authorities should have recognized and built upon.

While the stepfather criticized the lack of vocational guidance at the Reformatory, he acknowledged that Arthur has greatly improved in health and general conduct since his stay in the institution; that he apparently did not learn any bad habits there; nor did he there fall into bad company. Probably he did not follow up his Reformatory acquaintances because he immediately came to New Haven to live.

Arthur and his wife now attend church regularly, the pastor of this church being the same one who offered to supervise him during his last probation period. He spends his leisure time with his wife and does not hang around the streets. He has not been arrested at all during the five-year post-parole period, and the police have had no trouble with him. He is known to be good-natured, kind-hearted, and perfectly willing to work when he can get work. Neither the police nor his parents, wife, or minister, thinks that he is likely to revert to crime again. They have had no trouble whatsoever with him for over six years.

Arthur seems to be able to get along very well in the community with such assistance as he is receiving from his family and friends. It will be noted that he attended evening school to take a course in electricity. It is possible that if, during his sixteen months in the institution, he had received the training which he really wanted, he might now be very much more successful industrially than he is. At all events, he seems to have made a socially acceptable adjustment.

6. *The Alcoholic Turns Bootlegger*

The parents of Dennis are of Irish birth. He himself was born in Boston. His father died when Dennis was but seven years old, and the family were left in difficult financial circumstances. Dennis is the oldest of three children. His family say that he "always lacked common sense," that he was always "an easy mark," and that from earliest childhood they were unable to cope with and counteract the influences of the streets upon him. The two other children, a brother and a sister, showed no signs of delinquency, and Dennis has long been regarded as the black sheep of the family.

Dennis completed the first year of high school at fifteen, and shortly thereafter began to work as an errand-boy. About this time, also, he was introduced to heterosexual experiences. Throughout his industrial career Dennis showed good capacity, and even ability to hold a job; but he appears to have made little effort to do so. Instead, he loafed about and drank a good deal.

His first arrest occurred when he was nineteen. The charge was drunkenness, and he was "released."¹¹ Shortly afterwards he was arrested for larceny of a bicycle and was given six months' probation. Not long thereafter he was again arrested for larceny from a building, and the case was nol-prossed.¹² When he was twenty-three, he was committed to the House of Correction for eight months, on a charge of assault and battery.

During his youth Dennis had acquired some industrial skill as a machinist's helper and held two jobs for as long as a year and a half. When he was regularly employed, he seemed to have no trouble with the police.

At the age of twenty-four Dennis was arrested for breaking the plate-glass window of a shoe-store and taking one shoe. At this time he was under the influence of liquor. For this offence he was sentenced to the Massachusetts Reformatory on a five-year indeterminate sentence. The examiner who talked with him upon his admission found him to be "very courteous and frank, a man of normal intelligence, with a capacity to respond to training and amply capable of earning a good living. . . . He has much force of character and could do well if he would exert himself to do what he knows is right." The Reformatory psychiatrist diagnosed him as a "psychopath."

As he had had an equivalent of grammar-school education, Dennis was not compelled to attend the institutional school, but worked during part of his incarceration in the laundry and for part of the time in the shoe-shop. He was also employed as a "runner," a position of trust, and was found to be very efficient

¹¹ In Massachusetts, probation officers are given authority to release, without court appearance, persons arrested for drunkenness, under certain circumstances and conditions (General Laws, chap. 272, sec. 46; *Probation Manual* published by the Massachusetts Commission on Probation, fourth edition, July 1921, pp. 46-7).

¹² The district attorney's "royal prerogative" to refuse to prosecute cases can be greatly abused.

and to make an excellent record in every respect. He indulged in no misconduct whatsoever while he was in the institution. In asking the parole board to release him, he wrote: "I have seen that if I want to live as a human being should live, I will have to respect the laws of the state. I have profited by my stay here to know that I will have to do an honest day's work and give up drink if I want to gain the respect of decent people. My mother needs my help and I am determined to bring no more disgrace upon her. I am now a better man in every way than I was when I came here."

After twelve months in the Reformatory, where his conduct had been perfect, Dennis was released on parole and returned to his mother's home. He was now twenty-five years old. He went to work for a plumber and remained there for one year, earning thirteen dollars a week. Soon thereafter, however, he was arrested with a companion for larceny from a common carrier. The police officer saw two men seizing bundles from a Boston parcel-delivery wagon, and when Dennis and his companion were caught, a tussle ensued, so that the officer had to call for assistance. For this offence Dennis's permit to be at liberty was revoked and he was returned to the Reformatory, where he remained for four months. Again his conduct at the institution was perfect.

Dennis again wrote to the parole board: "I am behaving myself first rate and intend to do so in the future. I surely realize that I got the chance of a lifetime and I intend to grasp the opportunity now." On his second release on parole Dennis worked for three months as a helper in a store. He soon began to drink, however, and within a few months was again arrested for larceny from a common carrier. The driver of an express company team apprehended Dennis after he had stolen three watches from the wagon, which was standing unguarded. Again Dennis was returned to the Reformatory, this time remaining there for six months. Once more his conduct in the institution was perfect.

With his usual promise of making good, Dennis was for a third time released on parole and worked for four months as a truckman, receiving fifteen dollars a week, when he was again arrested, this time for "larceny from the person." The complainant, an elderly gentleman on temporary release from the Boston State Hospital, testified that he became ill on the street, and while he lay on the sidewalk awaiting the arrival of an ambulance, Dennis and a companion emerged from the crowds and picked his pockets, abstracting nine dollars. For the fourth time Dennis's parole permit was revoked and he was returned to the Reformatory, where he now remained eleven months. And again his conduct in the institution was perfect. Nine months of the eleven were spent at the Prison Camp¹³ on Dennis's own request. In making his plea for transfer Dennis read

¹³ The Prison Camp and Hospital, at Rutland, is operated on the plan of an "honour camp." Inmates found to be trustworthy in any of the county or state institutions are given opportunity to be transferred to the camp. The men are employed in outdoor work and thus have a chance to regain normal health and vigour. Most of them have served the greater part of their sentence before being transferred. The hospital is for the care and treatment of inmates of penal institutions of counties and the state suffering with tuberculosis.

the authorities an ingenious and not altogether unjustified lesson in penology, flavoured with a dash of blarney:

“Now gentlemen in dictating this letter to you I am not going to write three or four pages as do not think it necessary just a few lines and I think it will cover every thing. Now I have been here only a little over two months having been revolved back here by the commissioners now this institution is alright for a man having been committed here the first or even the second time but after that to my way of thinking it is only an unnecessary burden thrown upon the shoulders of the State. It has been the third time I have been sent back for violation of my parole in one way or an other. Now why not put me on one of the state farms where the state will gain more compensation and where I will derive more benefit morally and physically and be better capable to go out and meet the demands of the outside world when I am released. Epecially now when all the world is clamoring and crying for manual labor of one kind or another. Now I fully reliaze that I am only one of a number of others who are seeking this chance to make good hoping you gentlemen will consider my application favorably or that you will grant me an interview the next time you come to the reformatory.”

On his fourth parole Dennis worked as a teamster, continuing to do so to the expiration of his parole period (a year and a half), earning twenty-five dollars a week.

During the various parole periods, Dennis's parole officer said of him: “He is not a bad fellow at all, but drinks morning, noon and night, and would steal while under the influence of liquor.”

Dennis lived with his mother and sister in South Boston for six months of his post-parole period, when he was again arrested for attempted larceny from the person. This time he received a suspended sentence to the House of Correction. Two years later, at the age of thirty-two, being arrested for having morphine in his possession and for violating the liquor law, Dennis was sentenced for two years to the House of Correction, from which place he was released in eighteen months. He again made his home with his mother and sister, this time for eleven months; then he was once more arrested for larceny from the person and for being a vagabond, and was again sentenced to the House of Correction, where he remained for six months.

Upon his release he went off to seek his fortune in Providence and was there arrested some two months later on suspicion of pickpocketing, but was released by the police. Thereupon he returned to Boston and again took up his residence with his mother and sister. But soon he was again arrested. This time his offence was keeping and exposing liquor, and he was ordered to pay a fine of seventy-five dollars and to serve four months in the House of Correction. He “appealed” and upon retrial in the Superior Court was fined a hundred and fifty dollars. Six months later he was again arrested as a vagabond, but was found “not guilty.”

The industrial career of Dennis has been very sporadic. He worked as a truckman and then off and on in a shoe-factory and at various odd jobs. In recent years he has most of the time been engaged in bootlegging. He always pays his board when he is working. His mother and sister occupy the middle flat of a three-tenement wooden house in a crowded neighbourhood of Irish and other nationalities. The district is quiet, neat, and reputable, and its inhabitants are labouring people.

Dennis is now thirty-seven years old. When he was interviewed, he frankly stated that the hazard of being caught is worth taking; that one can be pretty sure of getting off with a fine, and that the fine is part of the expenses of the "business" (referring to the bootlegging trade, in which he has been engaged). He admits that his companions are largely such fellows as would patronize an illegal liquor-shop; he looks upon it as good business to "be in with a sporting bunch." Among his companions are many with whom he became acquainted in the Reformatory and in the houses of correction. Though he had manifested a marked interest in reading while he was at the Reformatory, he has since not followed up that interest.

He explains his misconduct by what he calls the "force of circumstances," the lure of companionship and of "easy money," together with a lack of other interests, and the failure of all the institutions, including the Reformatory, to implant in him an "inspiration toward other ways of living." He admits that the first time that he was sent to the Reformatory he had the idea that he would thereafter "go straight," but that somehow he could not overcome the "circumstances" which he met with on the outside, and that his poor companionships and the lack of some inspiring influence after his release may account for his continued antisocial conduct. His present attitude is that he does not intend ever hereafter to commit anything in the nature of a felony, but that he looks upon liquor-selling as perfectly legitimate "if you can get away with it"; merely a risky sort of business. The reason that he gives for deciding to avoid felonious acts is "simply that it does not pay. You are pretty sure to get caught and sent away. Only a fool would keep on for ever doing that. Crime don't pay."

Our social worker who interviewed Dennis is of the opinion that this case is typical of the one child in a family who "goes wrong"; that upon the whole the boys and girls in the slum districts "muddle through" and make a remarkable success in life when one considers the handicaps in environment, disordered homes, and improper parental oversight under which they labour.

These persistent misdemeanours of the one delinquent in the family seem to indicate fundamental conative-emotional traits which make him more susceptible than the average child to the demoralizing influences about him.

Contrast this case with the next one.

7. A Strong Motive for Self-Mastery

John is the oldest of six children. His parents are of Irish origin and came to America shortly after John's birth, settling down in Charlestown, Massachusetts. The relationship of the parents was pleasant enough when the father was not intemperate. He was, however, frequently arrested for drunkenness and committed both to the House of Correction and the State Farm—the hostels of the vagrant and the alcoholic. A brother of John has also been arrested several times for larceny and for drunkenness. The family suffered continuously from economic stress and were dependent upon the succour of numerous social agencies. The father rarely had steady employment because of his drinking-habits. The home was very much overcrowded, as the mother often kept lodgers. There was little, if any, parental oversight. John's mother frequently worked outside of the home, doing washing and cleaning. The boy ran about the streets and was at fourteen introduced to heterosexual experiences, played dice, pool, and poker, and hung about cheap "billiard parlours." He left school in the fourth grade at the age of thirteen and then went away from home to seek employment in a small town in Connecticut. There he remained only two months and returned home.

When he was nineteen, John married. Shortly thereafter he was arrested for the first time, for disturbing the peace, for which he paid a ten-dollar fine; a year later he was in court for non-support of his wife. This case was placed on file. Two years thereafter, at the age of twenty-two, he was again arrested for non-support, and shortly after this he and his wife separated. Two years intervened before John was again arrested, this time for assault and battery, for which he again paid a ten-dollar fine. Shortly afterwards he was taken up for robbery and sentenced to the House of Correction for six months. Then he and his wife were reunited. But a year later, when John was twenty-six, he was again in the toils for non-support and also for larceny, this time receiving a suspended sentence to the House of Correction. Within a few months he was arrested for drunkenness and shortly thereafter again for non-support, for which offences he received probation.

John's industrial history during all this time was very irregular. He had worked as an errand-boy; then for many years as a teamster and as a longshoreman. From the time he had first separated from his wife, he made several trips away from home, once to Maine, once overseas; he also took frequent freight-riding excursions.

Two weeks after the last charge of non-support, at the age of twenty-seven, John, together with a companion, was arrested for assault with intent to rob and received a sentence of five years and one month to the Massachusetts Reformatory. He and his companion had assaulted a man in the vestibule of a house and took thirty-five dollars in money and a pocket-book from his person. At that

time the police stated that John had worked periodically as a longshoreman on the wharves, but spent most of his time drinking and loitering at the bar-rooms and corners and assaulting and robbing "drunks." It was a notorious fact that he did not support his wife and children.

John spent thirty-six months in the Reformatory. Mental examination there disclosed that he is "a moron and addicted to drink." As is so often true of alcoholics, John blamed his wife for his misconduct.

He received training in the mills of the institution, worked as a fireman in the engineering department, and was found to be an extremely good and steady worker. He was then transferred to the Reformatory farm, where, as is the custom, he was to stay for a short period before his discharge. While there, he attempted an escape, but was captured.

At the Reformatory John attended school, where he was found to be extremely troublesome. He committed offences as often as once in three months, among them being talking in dining-room, being out of place, disobedience of orders, fighting in shop, talking in chapel, laughing in chapel. He became more amenable, however, as he grew accustomed to the routine and settled down to Reformatory life.

When John was released on parole, he went to live with his wife and two small children in Charlestown. As this was during the war, he soon entered the merchant marine service, but again failed to provide for the support of his wife and children. A warrant was issued for his arrest, and his permit to be at liberty was revoked. On his return to the Reformatory he served three months before he was again released. Once more he took up his residence with his wife and children. During this time he was employed very irregularly as a teamster, fireman, longshoreman. His average earnings were twenty-six dollars a week, and his average length of continuous work was three months. During the latter part of this parole period, however, he seemed to have settled down, showed himself to be a hard worker, and except for occasional lapses, when he "went on a bat," his conduct was good.

About eight months after the expiration of his parole period John was again arrested for drunkenness, and this time received a sentence of two months to the House of Correction. Since then, however, his conduct has been exemplary. He has been living with his wife and children and has been supporting his family throughout. His home is a very attractive upstairs flat of a two-family brick house, very comfortably furnished, very clean and homelike, and showing evidence of substantial success. His children, a girl and a boy, are now seventeen and fifteen years of age, respectively. The children do not know of their father's penal experiences. They think that he was away at sea. The home is situated on the brow of Bunker Hill in a neighbourhood once occupied by upper-middle-class people. John has a great pride in the neighbourhood and clearly associates

himself with it and considers himself a part of it in every way. He takes care of his family without any help from anybody and leaves financial matters entirely to his wife, who is beginning to save a little of his earnings. John spends a good deal of his leisure time at the Neighborhood Club,¹⁴ which has rooms on the opposite side of the street. The dues are very small, and here John meets his neighbours and can read and smoke, play pool and chat. The family have lived in their present home for six years and John does not want to move, as he feels rooted in the neighbourhood.

His explanation for his remarkable change in conduct and for his industrial and family stability is as follows: "I have been on the water wagon ever since my last sentence to the House of Correction. They kept me at the island ten days. I said to myself: 'You got to stop it or be a bum'; so I decided to stop it. I came home and I went to bed and I stayed in bed seven days and I made up my mind to stop, and I stopped — and that's all there was to it. A man can do about anything when he makes up his mind to do it."

John says that the restricted discipline and the regular life of the Reformatory "set him to thinking," and he is glad he was sent there. However, he needed "another lesson" to make him stop drinking. But the chief factor in restoring John to normal conventional life appears to be his spouse, who is a remarkably wholesome, vigorous, successful wife and mother. She has been loyal to John throughout and bound to make him "toe the mark." Certainly the good neighbourhood influences must also be taken into account. Finally, as John's children were growing up, he evidently realized the necessity for changing his own mode of living if he would have their respect and that of his neighbours. Today, at thirty-nine, John is a brick-mason and earns forty-four dollars a week. During periods of unemployment he finds work on the wharves as a longshoreman. He is certainly on the up grade.

8. *A Drug Addict and his Background*

Peter's parents were Italians, who kept a small grocery store in the North End of Boston. He was the third of five children. When Peter was but four years old, his father was murdered in a brawl in a saloon during a card game. The moral character of the mother had always been very questionable, and less than two months after the death of her husband she married again. The family lived in overcrowded quarters, the home consisting of two dark, extremely dirty rooms in the rear of the store. The children were neglected and ill-behaved. They were often sent home from school because they were filthy. Even as very small youngsters they were known to steal from their mother and from neighbours. They ran about the streets without any supervision whatsoever.

Shortly after the father's death the Society for the Prevention of Cruelty

¹⁴ This is a semi-political organization, largely financed by the dues of the members.

to Children became interested in the family, as there had been much complaint of the neglect of the children. For example, the youngest child, while still an infant, was left strapped in a garret room all day while the mother attended to the store.

Thus when Peter was a little over four years old, he, together with a brother and a sister, was placed in the Home for Destitute Catholic Children. After being there for four months, however, the children were all sent home because they were too unruly. The Children's Institutions Department of Boston shortly afterwards placed the three boys, including Peter, in various homes, and the other children remained with the mother.

While Peter was in a boarding home in the country near a small Massachusetts town, his conduct was all that could be desired. He worked hard on the farm of his foster-father and attended school and church regularly; and though he and his brother were a little "more difficult than most boys of this age," nevertheless they got along very well. After three years in this home, however, when Peter was fifteen, the foster-father died and the boys were sent back to their mother. This crisis seemed to be the definite turning-point in Peter's life.

Very soon after returning home, Peter, now beyond the juvenile-court age, was arrested for running away. His case was "dismissed" by the Boston Municipal Court. He ran about the streets a good deal, wholly unsupervised, and it is little wonder that at sixteen years of age he took to the use of drugs and has been an addict and pedlar of drugs ever since. At seventeen he was arrested for violating the drug law, and this case was placed on file in the Boston Municipal Court. Eight months later he was arrested for larceny, was released on bail, and defaulted. The case was later dismissed by the Boston Municipal Court. Six months thereafter Peter was again arrested for larceny, and in the Boston Municipal Court received a suspended sentence to jail. Within three months he was, however, again arrested for larceny, was released on bail, and again defaulted.

Peter's only industrial experience had been in the home of his foster-parents, where he did chores after school hours, ran errands, and helped his foster-father in other ways. When he returned to his own home in Boston, he worked in a "peanut place."

During all this time, not only was his mother known to be immoral, but three brothers were confirmed drug addicts, and a fourth had been sentenced for robbery. Peter asserts that it was the influence of his brothers that turned him to criminal acts, after his return from the foster-home. Peter had attended school up to the fifth grade at the age of fourteen.

When Peter was eighteen years old he committed the offence for which he was sent to the Reformatory—larceny of four gold bridge teeth, valued at twenty-five dollars, from the office of a dentist to whom he had gone for treatment. There was also a second charge against him—larceny of watches from a jewellery store. By that time Peter was known to the police as a confirmed

"dope fiend," and it was believed that he used the money from his thefts to buy the drug.

Peter was in the Reformatory for eighteen months and was there diagnosed as a psychopath, drug habitué, and moron. He was given fifteen months of training in the tailoring-shop. He committed offences as frequently as once in every five weeks—smoking in the yard, not keeping his room clean, fighting, persistent talking, causing disturbance, refusal to obey, being disorderly, quarrelling.

During his first parole period he lived in his mother's home and worked very irregularly at various odd jobs.

Six months after his parole he was arrested in Providence, Rhode Island, for larceny of twenty dollars and was returned to the Reformatory, where he now remained for four months. Upon his discharge he boarded in East Boston and worked for very brief periods as a shoe and furniture salesman and unskilled factory hand, and with an express company. All of these jobs were held for but a few days to a couple of weeks.

Nine months after his second release, at the age of twenty-two, Peter was again arrested for larceny from the person. The man from whom the money was taken had been in a saloon most of the afternoon, and about two o'clock Peter and his brother entered the saloon and walked along in front of the bar, looking everybody over. After a few minutes they went out through the pool-room which is attached to the saloon, and from there out into the street. At about five o'clock the man for whom they were waiting, now under the influence of liquor, went from the bar-room into the poolroom, sat down at a table, laid his arms across it, and with his head resting on them fell asleep. Peter and his brother, who had been watching from the outside, came through the pool-room door and bought a sandwich, then took one of the chairs from the table at which the man was sitting, and sat down very close to him. The money was slipped out of the man's pocket by Peter, and soon after he and his brother departed.

Peter was again returned to the Reformatory on a "revoke," this time spending only one week there and then being transferred to the Prison Camp and Hospital, because he was in such bad condition from the use of drugs that some treatment was deemed necessary. He was paroled after eleven months.

During his third parole period Peter again lived with his mother. But only one month after his parole his permit to be at liberty was revoked because he had failed to report to the parole officer, had done no work since his release, had married against the advice of the officer, and had been "hanging about" hotels. This time he spent eight and a half months at the Reformatory, again being transferred to the Prison Camp and Hospital, from which he was paroled. Within a few months his permit was again revoked because he had left home and had made false reports, and his conduct had been "indiscreet."

He was not returned to the Reformatory, however, because he could not be found; and four years later the warrant for his return was withdrawn. It was later discovered that up to the time of the end of his parole period he had been peddling drugs.

During the five-year post-parole period Peter travelled about from city to city selling drugs. He returned to his mother's home occasionally and was always shielded by his family, who did not insist upon his paying board. He has lived by his wits throughout this period, peddling drugs under the guise of selling neck-ties. He had for some years been suspected by the police of violating the Federal Narcotics Law, and was arrested twice on this charge, but he was released the first time because the grand jury found "No bill," while the second time the case was nol. prossed. Finally, in November 1927, when Peter was thirty-one years old, sufficient evidence was found against him and he received a sentence of "one year and one day" to the House of Correction for selling narcotic drugs. The sentence was, however, suspended and Peter is at present on probation.

Peter's whole family is notorious for bootlegging and drug-selling. No doubt he will continue to be a drug addict and drug pedlar unless some constructive plan is made for his permanent segregation and treatment.

There is no doubt that many offenders are constitutionally so organized or so set in antisocial habit and character as to be unable to cope with life in a legitimate way. Scientific classification and permanent segregation are the only sound means of protecting society against them. But our efforts should not end there: our penal institutions should be busy laboratories for experimentation with various techniques of reorientation of personality and re-education of character.

9. A "Normal" Youth who Found his Proper Niche in Life

The parents of Antonio are Italians of good, healthy stock, who in the country of their birth had been small landowners. The father had a grammar-school education. When the family migrated to America, he learned the tailoring trade and established himself very soon in a small shop. The family have been in comfortable economic circumstances; that is, there has rarely been any great financial stress, and they have been able to send their children to school. Antonio was the second of eight children. The relationship of the parents to each other has been good, and, except for the fact that one brother of Antonio was a school truant, there has been no known delinquency in the family.

Antonio's parents settled in New Haven, Connecticut. There Antonio was born, and the family remained until he was seven years of age. They then moved to Boston, where they resided throughout Antonio's boyhood and young man-

hood. Antonio attended school until the seventh grade, which he left when he was thirteen years old. His school conduct was all that could be desired. He was found to be of normal mentality, with no sign of any mental disease.

Antonio began to work when he was fourteen, first as a stock-exchange messenger; then in a factory, making mesh bags. He also had a little experience in an engraving plant and in a shoe-factory; was an office-boy; worked in a bowling-alley; was a helper in a grocery store and in a garage. The average length of his employment before he was sentenced to the Reformatory was two months, and he held his longest job for four months.

Soon after Antonio began to work, he fell in with a bad crowd of young boys, and from that time on, his father found it difficult to control him. The boy had worked regularly enough and brought his pay home to his mother, thus contributing towards his own support, until he became influenced by this group of companions.

Antonio committed his first offence of breaking and entering when he was fifteen years of age. On that charge he was committed to the industrial school at S—, where he remained for one month and was then transferred to the L— Industrial School.

Shortly after his release from the latter institution, at the age of seventeen, Antonio again committed the offence of breaking and entering. He burglarized the house of a physician, this time alone. He stole jewellery to the value of some four hundred and fifty dollars, sold one of the pieces the same night at a pawnshop, and was later arrested when trying to dispose of other portions of his loot. For this crime he was sentenced to the Massachusetts Reformatory, where he spent sixteen months. After interviewing the new inmate the examiner of the institution noted in his records that Antonio "is rather of a secretive nature," and he ascribed the youth's course in life to poolroom and bowling-alley associations. "These companions, plus a pleasure-loving disposition and the additional influence of his L— School associates, probably account for his downward drift."

While in the Reformatory on this sentence Antonio was assigned to the engraving plant for a brief period and at that time wrote to his father: "I am working up in the engraver's all day now and I am learning more than I ever did before. When I get out I will be good enough to work at it. I would like to ask you is that job you got for me ready yet? If it is, write to me and let me know. I don't like to be wasting my time in here while I can be out helping the family."

During his parole on this sentence Antonio used to spend his evenings learning engraving. He looked about for an opening in this field, but was unable to find one. Shortly following his parole, after drawing his pay from the garage in which he had been working and without paying his board to his parents or letting them know that he was leaving home, Antonio absconded. The following

Christmas he returned home, and soon thereafter, at the age of twenty-one, he again committed the offence of breaking and entering, this time with two companions. For this offence he received a five-year indeterminate sentence to the Reformatory. On this occasion Antonio spent twenty-three months at the institution and received training as a weaver, in which he did quite well. He also had some experience in carpentry work, to which he was evidently not adapted, and was again given fifteen months of training in the engraving class, to which he responded exceptionally well. He was very industrious and much interested in the work, and the trade-school officer said of him that "he possesses skill and judgment in the work and is capable of making a good engraver."

Antonio had an almost perfect conduct record while in the Reformatory.

There was nothing of note about his physical condition, which was found to be extremely good.

During the second parole period Antonio lived with his parents, who moved to a better neighbourhood, where he was necessarily separated from his old companions. He first secured a job as a helper in a store, but was so much interested in engraving work that he used to spend his evenings at it at home. He held his first job for only two months, however, and then secured a place as a machinist, which he held for four months. All the while he was looking about for an opening with an engraving concern. Finally he found this opportunity and he was engaged in engraving throughout the remaining two and a half years of his parole period. The parole officer found the family very co-operative and glad to take any suggestions that he made to them concerning Antonio's behaviour. Before the expiration of his parole the ex-prisoner wrote to his parole officer: "As long as I keep busy I'll never get into trouble." And a little later he wrote: "I am very glad to have learned the engraving trade at the Reformatory. Now that I have found the job that I like I am going to stick to it."

The five-year post-parole history of Antonio has been very creditable. He continued to live with his parents in a seven-room apartment in a modern stucco block of three-family houses. The neighbourhood gives an atmosphere of village life and of wholesomeness. Antonio has throughout this five-year period worked in engraving plants, earning from thirty-five to forty-five dollars a week. All of his employers who were interviewed commend him highly. He has saved seven hundred dollars and is hoping to marry as soon as he has sufficient to support a wife. His family feel that his second Reformatory experience was "the making of him," and Antonio is very grateful for having really learned during his second incarceration the trade of photo-engraving and having been able to lead a quiet, regular life in the institution. He came out of the Reformatory with much ambition, which was fostered and developed because he succeeded in establishing himself in the occupation which he most enjoyed. He is an efficient and

satisfactory worker in every respect. His leisure time is spent largely with his fiancée. He is a member of the Y.M.C.A., where he spends three evenings a week playing basketball. He now attends church regularly. He has had no trouble whatsoever with the police. His father believes that the fact that the family moved into a better neighbourhood gave him a chance to reorganize his leisure time and make new companionships.

Antonio says that during his second incarceration at the Reformatory "something led me to take it right." That something is, however, difficult for him to explain. "I made up my mind to get ahead and amount to something," he says simply. His father thinks that he was naturally a good boy who "came back to himself" with the aid of the Reformatory. "It was all a wholesome thing for him, especially the trade."

It seems that the combination of the co-operative functioning of intelligent parents with a family background of decent social standards, the discovery and fostering of an ambition, and a complete change of environment all contributed to the good result in this case. But Antonio himself feels that this explanation is not enough. What started the internal change? What was the "something" that led him to "take it right" the second time, but not the first? What was it that caused him to make up his mind "to get ahead and amount to something"? Even this clean-cut case illustrates the inadequacy of any simple approach to what is essentially a complex problem, one that can be analysed at different levels. Undoubtedly, however, the adventures of Antonio speak eloquently of the great importance of intelligent vocational guidance and painstaking trade instruction in any program of rehabilitation of offenders. This fact has long been recognized in theory. How much real application has it had in practice?

10. Summary

Hundreds of life histories of criminals might be sketched. They are all similar and all different; and that fact is the reason why we must have not only individualization, but individualization based upon *objectified* experience rather than deceptive "common sense," and mere "consideration of the individual case." *The points of difference, of uniqueness, in the individual case cannot be safely determined without a careful evaluation of that case in the light of the points of similarity of hundreds of other cases.*¹⁵ This fact is vital and basic, and has almost uniformly been ignored by social workers, judges, probation officers, and parole agents.

The few cases described in detail in this chapter have probably raised many important questions in the reader's mind, queries relating not only to the specific subjects of this volume, the American reformatory and its human product, but

¹⁵ See Chapter XVIII, where we attempt to show how this can be scientifically done.

to the entire social setting of our courts and peno-correctional institutions. Most of these questions must of course remain unanswered at the present stage of our ignorance. Some can be tentatively gone into. Only some, and they the ones that have to do with the Reformatory and the make-up of our young men and their families, can be discussed in any detail. It is important, in connexion with these last questions, to determine the *general characteristics* of our group of 510 men who comprise a fair sample of the "run of the mill" of the Massachusetts Reformatory. This can only be accomplished through the use of the statistical method. But one must have reliable *facts* as a basis for statistical treatment. Too many existing studies in the fields of delinquency and criminality make use of elaborate mathematical statistics although based on unverified raw material. A sound factual basis should be the *sine qua non* to statistical treatment of a social problem. To show the reader how difficult it is to obtain the indispensable factual basis for investigation into the careers of offenders against the law, and to render full account of the method employed to that end in this study, are the objects of the next chapter.

CHAPTER V

METHOD

1. Preliminary Gathering of Data and Location of Ex-Prisoners

Research in social problems presents formidable obstacles. No business enterprise could long endure if its record and accounting systems were as inadequate as are society's official records pertaining to problems of social pathology. Whether it be finger-print systems, police, court, or social agency records, there is much room for improvement. Worst of all, no central office exists by which are gathered and verified the various pieces of information that only the utmost ingenuity can glean from numerous sources.

This research was begun by a long and careful analysis of the dossiers and records kept in the Department of Correction of Massachusetts. The Commissioner of that office, who throughout evinced great interest in the study, made it possible for us to spend almost a year in the record-room of the department.

It had been decided to study all men whose parole from the Massachusetts Reformatory expired during the years 1921 or 1922, comprising 510 ex-prisoners. By this method of selection a five-year post-parole period was allowed for, thereby enabling us to establish the probable permanence of any changes in the conduct of the ex-inmates of the Reformatory. It was with considerable difficulty that this group of cases was isolated. Various card indexes and record books kept at the Department of Correction had to be consulted for this purpose, before the pertinent case folders could be identified and withdrawn from the files. This process was followed by a careful analysis of the contents of each case-record folder to ascertain just what data were available, and the extent and nature of the verification of statements that would be necessary. Much information contained in these records was found to be unreliable, since it had been secured largely from the men themselves when interviewed on their entrance to the Reformatory and had not been verified or amplified. Some of the data, as to which it was not likely that the men would prevaricate or be forgetful, such as their religious preference, could be taken at face value; most of the information, however, had to be carefully substantiated, and in all instances numerous gaps in the case histories had to be filled. The process necessary for these purposes is minutely described below.

The typical contents of a case-record folder in the files of the Department of Correction were found to be as follows:

1. A form on which appear vital statistics: information as to family, places of residence, occupational history, and a few other items about the prisoner himself.
2. Brief reports made by parole officers concerning the parolee's conduct and industrial history during his parole period.
3. Varied correspondence, including not only letters from and to relatives of the prisoner, but also letters from the offender himself to officials or others. Many of these letters furnished valuable information or clues, and it was therefore necessary to read them all in order to cull out such data as might prove of worth in the follow-up work.

After these materials had been arranged and studied, schedule cards were prepared for the systematic reception of the data derived from the Department of Correction, as well as the records obtainable at the Reformatory.¹ Schedule 1, the history of the prisoner prior to his sentence to the Reformatory, and Schedule 2, his status at the time he was committed, could be filled out with relatively little difficulty. Schedule 3, the Reformatory history of the prisoner, and particularly Schedule 4, the parole history of the ex-prisoner, gave much more difficulty. In connexion with the latter it was necessary to assemble from the record folders and carefully analyse all the reports made by the parole officers. In addition, all correspondence between prisoners and families or parole officers had to be read before the parole history could be constructed.² The work of arranging the data found in the record folders in chronological order was in itself a task of several months for one clerk. Two stenographers were engaged in copying the data and two other workers in analysing the parole histories. At the same time one of the authors was preparing an "identification" card³ on which such information was entered as would later aid in locating the ex-prisoners or their families. This card proved to be an extremely valuable instrument, constantly resorted to during the subsequent stages of the research. It contained the name and all aliases of the offender; his Reformatory number; his address at the time of his sentence to the institution; the date of sentence and the court by which the sentence was imposed; the prisoner's complexion, the colour of his eyes and hair, and his height; the date and place of his birth; his religion; names and addresses of his parents or step-parents; names and addresses of siblings, both married and single; the schools he had attended; his various places of residence up to the time of his sentence to the Reformatory; his last known address (usually his residence at the time of expiration of his parole period), and his last known job (usually the last place of employment reported by the parole officer). These facts were verified and supplemented when information from various sources was obtained, and in turn enabled us continually to reach out for further and more accurate data.

¹ See Exhibits 1, 2, 3, and 4 in Appendix A.

² During the last few years the parole records appear to have been much more carefully and uniformly kept.

³ See Exhibit 6, Appendix A.

On the reverse side of this identification card were placed the names of any near relatives who had been mentioned in the record, and their last known addresses, as well as the names and addresses of any close friends of the ex-prisoner or of officials who at one time or another might have had a special interest in him.

With the completion of the above-described processes on each fifty cases, the following procedure was resorted to for ascertaining the whereabouts of the men at the time of the study:

1. All cases were "cleared" through the Social Service Exchange⁴ of Boston or of the city in which the ex-prisoner's parents were known to have lived, if there was an exchange there. If not, the local Board of Overseers, Department of Public Welfare, or Family Welfare Society was communicated with and asked to ascertain whether the family in question had ever been known to any social service agencies in the particular city. The purpose of this was twofold: first, to discover the present whereabouts of the ex-prisoner or his family, if possible; secondly, later to secure from the social agencies any data they might have about the family which would be of aid in verifying the information already gathered from the Department of Correction and Reformatory records. By this method many clues were secured as to the whereabouts of the families and in some cases of the ex-prisoners themselves.

2. While this work was being done, the finger-print files of the Department of Correction were consulted, to make note of any criminal record an ex-prisoner might have had subsequent to the expiration of his parole period. These finger-print records are, however, incomplete even as regards men arrested and tried in Massachusetts; for in Massachusetts prisoners are usually finger-printed, under the law, only following arrest for a serious crime.⁵ If a man has been arrested in another state, moreover, it does not necessarily follow that the correctional officials of that jurisdiction send a copy of his finger-prints to the Massachusetts Bureau of Criminal Identification. Despite the fact that the local file is by no means complete, it proved very helpful.

3. Another important source of criminal, and some social, data was the central criminal record index originated and developed by the Massachusetts Probation Commission. This index was begun in 1916, but it is only since 1924

⁴ This is a clearing house for social welfare agencies, which maintains a careful record of all contacts of such agencies with various families and individuals, furnishing such information to accredited agencies and persons, who in turn communicate with the welfare offices listed for such further information as they desire. A similar clearing house for police, court, institutional, and other criminal records would be highly effective in facilitating co-ordination of effort. A nucleus for this already exists in the Massachusetts Probation Commission's central index of court records.

⁵ Commissioner Bates, of the Department of Correction of Massachusetts (now superintendent of federal prisons), has made considerable effort to have a law passed requiring the finger-printing of all criminals. For the purposes of research into the effectiveness of such measures as probation, reformatory treatment, and parole and into such questions as whether persons of various mental types commit certain kinds of offences, a thoroughgoing finger-print system is an indispensable basis.

that most of the cities in Massachusetts have been sending records of arrests and court appearances to this central office.⁶ From this source any criminal record of an ex-prisoner subsequent to the expiration of his parole period, together with any addresses which had been mentioned and any statement of his occupation, was noted. This information proved most valuable subsequently. Since, however, there were a great many cities in Massachusetts which had not been reporting to the Probation Commission, it was necessary to write directly to the local chiefs of police, or probation officers, to ascertain whether or not a man known to have been residing in a particular city had any criminal record there after the expiration of his parole period. The results of this large correspondence were astonishing in their verification and supplementation of existing data.⁷ Even though a man had no criminal record in a city, the police often were able to send information as to his whereabouts, or could furnish his last known address.

4. As a further means of rounding out and verifying the data, the parole officers who had known the men during the parole period were interviewed, and any information which they had concerning the recent or present whereabouts of the men was secured. Clues to an appreciable number of the men were uncovered in this way, as the parole officers in their rounds often casually meet their former parolees and perhaps engage in conversation with them, or have heard from some probation officer that their former charges are again in trouble.

The executive secretary of the Prisoner's Aid Society of Massachusetts⁸ was interviewed. He checked off the names of all the ex-prisoners who had been aided by him at any time during the last few years. His record of the addresses or places of employment of the men whom he had assisted financially furnished the clues to the location of a few of the ex-prisoners in our group.

5. Still another important source of information for our purpose was the Massachusetts Department of Mental Diseases, a bureau of which, the Division for Examination of Prisoners, has for the past few years been engaged in the examination of inmates of the county jails and houses of correction and in the course of its labours has accumulated thousands of valuable case-history records.⁹ The index of these cases was consulted to determine whether any of

⁶ The Commissioner of Probation, Mr. Herbert Parsons, afforded every facility for the prompt consultation of this important record system.

⁷ The police chiefs responded with considerable promptness and courtesy to the frequent requests for information. It was carefully explained to them that the desired data were to be used for research purposes only, and that in publication all names and other identifying facts would be disguised. Police chiefs of such large cities as New York, Chicago, Detroit, and Philadelphia had to be addressed through the Division of Criminal Identification of the Massachusetts Department of Correction, as they make it a practice not to furnish such information to any but official persons.

⁸ A privately financed organization for giving material aid to ex-prisoners, whose secretary has a desk in the office of the Parole Department in the State House.

⁹ See Chapter IV, note 10. The former director of this important division, Dr. Ralph Chambers, and the present incumbent, Dr. Winfred Overholser, have at all times so co-operated as greatly to facilitate our researches.

the group of ex-prisoners whom we were interested in had also been studied by the division. Some forty persons were found in this way, and the full records of the Department of Mental Diseases were thereupon made available.

6. If from the information already in the record an ex-prisoner was known to reside in another state, a copy of his finger-prints (secured from the Department of Correction) was sent to the bureau of criminal identification of the state in which he lived; or if there was no such bureau, to the chief of police of the city in which he was known to be residing. If the ex-prisoner was known to have been in the army or navy during his parole period, as many were during the World War, a copy of his finger-prints was sent through the Massachusetts Bureau of Criminal Identification to the finger-print bureau of the army or navy. As the army or navy officials were often able to furnish a recent address, many of our men were located in this way. Where men were known to be wandering about the country, or where no other clue was available, finger-print copies were sent to the United States Department of Justice.¹⁰ This procedure proved helpful in many cases.

So much for this very elaborate, though absolutely indispensable, work of preliminary investigation. After its completion there was available in most of the cases at least the name of the city in which the ex-prisoner or his near relatives or close friends were residing. In some instances the precise addresses were already at hand, having been ascertained through the social service exchange or some social agency, the Massachusetts Probation Commission, the police of other cities and states, the Massachusetts Bureau of Identification, the army or navy, the United States Department of Justice, the Massachusetts Department of Mental Diseases, parole officers, and (particularly when the ex-inmate of the Reformatory had been later committed to the State Prison) the Massachusetts Department of Correction.

Next came the task of definitely locating the men for the purpose of having interviews with them. Street directories were consulted.¹¹ Where men were known to have lived in towns in which no directories are published or were for some reason available, a letter was sent to the town clerk or selectmen. A skill was developed in consulting directories, since it was soon found that a name as given by an offender may be spelled in many different ways. For example, the name Rapalowski was finally identified as Hraposki; the name Jackimauch was finally discovered to be Jakubowitch.

A few illustrations of the locating of the group up to the point of interviewing the men or their near relatives are here given:

¹⁰ This central federal bureau was established in Washington in 1923. Its records are very far from complete, since it is not obligatory for the states to furnish copies of finger-prints to the federal bureau.

¹¹ In Boston there is a complete library of directories at Sampson and Murdock's, the directory-publishers. This collection of most recent directories from all over the country greatly facilitated the task of finding our ex-prisoners or their relatives.

Case A. At the time of his sentence to the Reformatory he had been living in Roxbury, Massachusetts, with his parents, and he had a married sister also living in Roxbury. It had also been stated in the record that his father and brother-in-law were in business in Bridgeport, Connecticut. Neither the parents nor the sister could be located, and it was later ascertained that the addresses which had been given by the prisoner to the Reformatory officials were entirely false. Through the finger-print files of the Massachusetts Department of Correction, however, it was found that this man had been arrested under an alias in January 1923 in New York City for burglary. The Massachusetts Probation Commission, however, had no record of him, and neither he nor his family was known to the Boston Social Service Exchange. As this man was found to have a record in New York City, it was necessary for the Chief of the Bureau of Criminal Identification, Department of Correction, to carry on the correspondence with the police of New York City. In this way it was found that our man had fled shortly after the above-mentioned arrest, was found in Toronto, Canada, in February 1924, brought back to New York City, and sentenced to from two and one-half to five years in Sing Sing Prison, and in August 1926 had been transferred to Clinton Prison, from which he was to be paroled in February 1927.

Case B had been living in B—, Massachusetts, with his sister in 1918 at the time of his sentence. He had several married brothers and sisters, some living in Lawrence, some in Hull, and some in Boston. Through the finger-print bureau of the Department of Correction it was found that he had been arrested in December 1921, for larceny, and had been sentenced for one month to the Deer Island House of Correction, and that in August 1925, under an alias, he had been arrested for assault and battery and sentenced to six months at the House of Correction. He gave an address in Roxbury. The Probation Commission had no record of him. By clearing the case through the Social Service Exchange it was found that a married brother was known to several social service agencies, and the address given corresponded to the one found in the finger-print files. In this way it was ascertained that this man had been living with his brother. Later the brother was visited and stated that Case B had disappeared from home and, he had heard, was in California. Finger-prints were then sent to the California Bureau of Identification and the man was found to be in prison there.

Case C. At the time of his sentence he had been living in M—, Massachusetts, with a brother. His parents were in Russia, as were all the other brothers and sisters. In 1922, at the expiration of his parole, he was known to have been residing in Lynchburg, Virginia. No finger-print record could be found, and no Probation Commission or Social Service Exchange data. The police of M— had no criminal record for this man and stated that he was not living there. The police of Lynchburg wrote that he had been there in 1922, but had no crimi-

nal record, and that his present whereabouts were unknown; nor could the City Clerk of Lynchburg furnish any information about him. By consulting the record again, it was found that during his parole period this man had enlisted in the army. By sending finger-prints to the army it was found that he had been honourably discharged in 1919, and that he had given his address at that time as the— Bank, Chicago, Illinois. The bank was written to, in the hope that it might have some clue as to his present whereabouts. The bank replied that he was at the Y Hospital in M—, Illinois, and from the hospital authorities it was discovered that this man had been there for several years, a mental case diagnosed as dementia præcox.

Case D was living in Brockton with his father at the time of his sentence in 1917. During his parole period this man disappeared and the warrant for his return to the Reformatory had been withdrawn. Several relatives were located, none of whom seemed to know what had happened to him since his disappearance in 1919. There were no finger-print reports, no Social Service Exchange or Probation Commission data, and the police of Brockton knew nothing about him. The finger-print bureau of the United States Department of Justice was resorted to, and it was discovered that he had been arrested in February 1922, under an alias, in Pittsburgh, Pennsylvania, for disorderly conduct; that in June 1923 he had been arrested in the same state for larceny; and that in November 1925 he had been arrested in Chicago. The police of Chicago were written to through the Massachusetts Department of Criminal Identification, and there it was found that the man had been sentenced in December 1925 to serve one year at the House of Correction on a charge of burglary. It may be mentioned that when the relatives were seen, they were able merely to state that about a year previously they had received a letter from him from Chicago, asking for money, as he was in jail. On the strength of this clue the police of Chicago had been written to, but no finger-prints had been sent and a reply came that this man was not known. Later, however, when finger-prints were forwarded, the complete record of this man was revealed.

The above cases give some idea of the method used in the *preliminary* locating. By the time this process had been completed there were very few ex-prisoners— only twenty-seven— about whom there were absolutely no clues, because they either had no living relatives, or were unknown to any social agencies, were “floaters,” or had dropped completely out of sight before the end of their parole period.

If this procedure did not result in tracing a man, still more intensive methods were resorted to, of which the following are illustrations:

1. If it was impossible to locate either the ex-prisoner or his friends, a near relative was written to with a request for the address of the man or his parents. The purpose of the inquiry was not stated. The letters were usually worded briefly: “Would you be kind enough to send us the present address of . . . as

we have a great favour to ask of him? Thanking you for this courtesy," etc. This did not in any way arouse suspicion, and the results of these letters were most gratifying. In a few instances known close friends were written to.

2. The post office frequently has forwarding addresses on file of people who move. Carriers are not allowed to reveal this information, but arrangement was made with the chief inspectors in charge of various districts to furnish it, after we had given absolute assurance that neither the men nor their families would in any way be harmed, that all published identifying data would be disguised, and that the inquiry was being made in a purely scientific spirit and cause.

3. One year after all the cases had been cleared through the Massachusetts Probation Commission, the criminal records of the men still unlocated were again investigated. If a man had been arrested during that year, there were more recent addresses available. Several men were located in this way, as to whose whereabouts we had no other clues.

4. In instances in which relatives had not heard from a man for a long time, another inquiry was made six months or a year afterwards, asking whether any information was then available.

5. If a man had been arrested for violating the auto laws or was known to be the driver of an auto, his address was found through the Department for Licensing Motor Vehicles. Similarly if the man was known to be a pedlar, he was located through the Licensing Board.

6. Since the men whom we investigated were between twenty and thirty-five years old and most of them had been unmarried at the time they were sent to the Reformatory, an examination of marriage records proved very profitable. This disclosed the name of the wife's parents, who were usually readily located through street directories, and in that way information as to the man's whereabouts was secured. When it was known that the family had owned real property, the registry of deeds was consulted and the family address obtained.

7. In several instances the active file of all children under two years of age in the city of Boston, kept at the Boston City Hall, was consulted in order in this way to ascertain the present or recent address of any of the married men who had very young children. Several cases were thus found.

8. During the course of the investigations the newspapers were watched closely, both for police notes and for marriage and death notices. This in several instances revealed the whereabouts of the man or his family.

A few illustrations are here given of this more circuitous method of locating the men or their families:

Case A. By examining the later marriage record of the divorced wife of one of the men she was found in Chelsea, and through her the former husband was located.

Case B. Learning that the wife of an army deserter was supposed to have been tubercular, we found her address through the local tuberculosis hospital.

Case C. The City Clerk of P— was able to furnish the present address of the mother of one of the men through the truckmen's records which are kept at the office of the City Clerk.

The foregoing illustrations make it clear that without a time-consuming and careful search for ex-offenders it is impossible to arrive at trustworthy information as to what happens to the former inmates of our penal and correctional institutions. Anything less than such effort can only result in the dissemination of unreliable conclusions as to the efficacy of society's measures for coping with criminality.

Thus far we have discussed, in addition to the process of locating the men, the gathering of but the preliminary data upon which statistical conclusions might be based. To render such conclusions reliable a further process of verification and supplementation of the data had to be resorted to.

2. Verification and Supplementation of Data

After the data had been entered on the schedule cards, the next problem was that of securing more detailed early histories and verifying the information which had been copied from the records of the Department of Correction and the Reformatory. As has already been mentioned, for this purpose all the cases had been cleared through the social service exchanges in the various cities in which the men had lived, and all the social service agencies that had had any contacts with the men or their families had been asked to send a summary of their dealings with them. It may be mentioned at this point that a response was received from almost one hundred per cent of the agencies. Data thus secured proved invaluable in checking up and supplementing the facts already contained in the schedules.

For the purpose of supplementing the schedule data there had also been copied from the Department of Correction and Reformatory records any significant passages from correspondence contained therein which related to the men's families, the men's environmental history, possible explanations of the delinquent careers, opinions of employers about the men, and the like; in brief, any facts not already contained in the schedule. For example, if there were such bits of information as the fact that the mother of the prisoner had been in a certain hospital for the mentally diseased, but no diagnosis was given, the diagnosis was thereupon secured from the hospital.

From the Reformatory records had been obtained information relating to the prisoners' period of incarceration in that institution. After the schedules had been filled out, however, several gaps in the data were found, and the Superintendent of the Reformatory kindly supplied this additional information, which he in

turn gathered from various other institutional records. This included, for example, the prisoners' employment and school records in the Reformatory, their health records, summaries of mental examinations, and similar data which had been lacking in the Department of Correction files. All this information, where-ever needed, had to be copied by clerks of the Reformatory.

It was possible to supplement such information as was already contained on our schedules concerning the prior institutional history of the prisoners by consulting certain index cards at the State House on which were entered the names of institutions in the State of Massachusetts in which the men had served sentences.

The parole schedule card was supplemented by consulting certain reference index books in the Department of Correction in order to determine on what dates the men were "revoked" to the Reformatory for violating parole conditions and in order to ascertain also the dates on which warrants were issued and withdrawn. It was further occasionally necessary to consult these indexes to determine the date of parole and other information relative thereto.

The employment history which had been given by the men to the clerk at the Reformatory had to be verified also, as it seemed very probable that they did not remember the exact dates of their prior employment and had doubtless exaggerated the length of time during which they had held jobs. A questionnaire was devised¹² which was sent to all former employers. The response to this questionnaire was of course not complete, because industrial records running so many years back are not carefully kept and some firms had gone out of business or could not find the records. It was necessary in addition to send questionnaires to a great many of the concerns which had employed the men during the parole period, in order to find out the nature of the men's occupation, because parole officers had neglected to state this in their reports in very many cases. In this way the employment history of the pre-Reformatory and parole periods was verified, and in many instances not only the nature of the men's employment, but their salaries and reasons for leaving employment were thus obtained.

It was also found necessary to verify and supplement the school histories of the youths.¹³ Permission was received from the superintendents of schools of Boston and various other cities to send out questionnaires for this purpose.

The most difficult problem of all in the matter of supplementing and verifying data was found to be the checking up of the pre-Reformatory criminal record and criminality during the parole period. With the man's own statement of his misconduct as a basis, and in addition the statement of the police at the time of his arrest, a close scrutiny was made of each case, and the record given was checked up with the names of the cities and towns in which the prisoner had said he had lived. In each instance in which an arrest did not already appear as

¹² See Exhibit 7, Appendix A.

¹³ See Exhibit 8, Appendix A.

having occurred in any places in which he had had a residence, the police and the clerks of the courts were written to and asked especially to search out any juvenile-court appearances. By this method additional criminal data were secured in 102 cases. We also consulted the files of the Boston Juvenile Court in order to secure the records of those who had appeared before that tribunal.¹⁴

In addition to verifying the prior criminal records of the ex-prisoners themselves we tried also to ascertain whether any of the members of the families of the men had had any arrests or court appearances. This was done in the same way. In instances in which the men had not already stated that some member of their families had been arrested or incarcerated, the police of the cities in which the families had lived were written to and considerable information was thus secured.

A careful analysis of the parole schedule was made in order to ascertain to what degree the information was incomplete. Notation was made of all the cases in which information was lacking, and the reasons for such lack. For example, certain of the men had disappeared during parole, yet their parole permits had not been revoked; and the Parole Department knew nothing further about them. Some men had received permission to live in other states, and no very careful supervision had been kept over them. Many other men had enlisted or had been drafted into the army or navy during the World War; they were therefore excused from reporting and nothing further was known by the parole officers about them. Still other men had for other reasons been excused from reporting and might have gone away to other states; hence the information about them was incomplete. It was necessary, therefore, to seek information from police and court officials and from the United States Department of Justice, from the various state bureaux of identification, and from the army and navy finger-print files, in order to ascertain the conduct of these men from the time when parole supervision had ceased, even though the parole period had not technically ended. This was done in much the same manner in which the pre-Reformatory criminal record had been supplemented. The number of instances in which information as to criminal conduct was secured in addition to what was already known to the parole officer was eighty-seven. Finger-prints were even sent abroad—in two instances to Italy and in one to Greece—and information was thus secured.

Some five thousand letters making requests for information from police, social service agencies, and other sources were sent out in connexion with this inquiry, besides several thousand questionnaire blanks relating to employment and school history.

¹⁴ It had been hoped that it would be possible to examine also the records of the state training schools, but the trustees of these schools refused to co-operate and therefore this source of information was closed.

3. Editing of Schedules

After all this supplementary information had been gathered, it was necessary carefully to edit the entire record — that is, the four schedules and all additional data which had been secured — and to check up all information and therefrom revise any incorrect or contradictory statements which appeared on the schedules. It must first be mentioned that the records were far from uniform, even at this stage. Some contained comparatively little information; most of them contained a great deal. A few illustrations of the contents of these records which had been assembled from the files of the Department of Correction, the Reformatory, social agencies, employers, probation officers, police departments, institution officials, and other sources may be given:

A few meagre records contained only the four schedules partially or completely filled out, the official narrative of the crime for which the offender had been sent to the Reformatory, the social-service-exchange blank, and a significant statement from a relative. The contents of the kind of dossier which had been built up in the large majority of cases, however, may be illustrated by one of them. It contained: the four schedules, the official narrative of the crime, and of the offence for which the parolee's permit to be at liberty was later revoked because of misbehaviour, a summary of his conduct as a juvenile, secured from the juvenile-court records, significant statements culled from the letters written by the youth himself while at the Reformatory, letters and reports of the parole agent and of an army officer who knew the ex-prisoner at Camp Devens, a report of the agent of the "Home Department"¹⁵ of the Massachusetts Department of Correction. In addition this folder contained a report of the Prisoners' Aid Society, the social-service-exchange blank, a summary of the dealings of the Overseers of the Poor with the prisoner's family, a summary of the dealings of the Family Welfare Society with the family, a juvenile-court report on a brother, a summary from the Psychopathic Hospital concerning the ex-prisoner, who had previously been under observation there, a summary of the dealings of the South End Settlement House with the family, and summaries of the contacts of the Boston Dispensary, Children's Institutions Department, Council of Jewish Women, Massachusetts General Hospital, Boston City Hospital, Society for the Prevention of Cruelty to Children, Women's Educational and Industrial Union, and Community Health Association.

Preliminary to the work of editing, the four schedules, as well as the other contents of the folder, were carefully read and the inconsistencies noted. For example, sometimes the clerk who had interviewed the youth at the Reformatory had entered on the record that a certain prisoner had reached the fourth grade in school, while elsewhere in the record his school attainment had been

¹⁵ This consists of one social worker, who visits the men in the Reformatory upon their request for the purpose of aiding their families through contacts with social agencies.

reported as the seventh. Corroboration of one statement or the other was thereupon sought in letters or reports of agencies or in the questionnaire which had been sent to the school. Another inconsistency occurring rather frequently was denial that liquor was indulged in, side by side with a record of prior arrests for drunkenness or even admissions that the offender was drunk at the time the crime was committed. This type of inconsistency had to be carefully resolved by obtaining further corroborative data.

The official narrative of the crime for which the youth had been sentenced to the Reformatory often contained a rather complete statement of his employment history, which was utilized and verified. Sometimes a statement was found as to the age when the prisoner began to work, and also additional facts about the family, such as: "His mother is considered highly respectable," or "His parents are well spoken of," or "His father is a drunkard." Further corroboration of such statements was then sought in reports of agencies and elsewhere; but if this was unavailable, such a fact as the father's being a drunkard was noted if the prisoner himself had omitted mention of it to the clerk at the Reformatory. Facts relating to the reputation of parents or other near relatives are of course frequently omitted in the statements made by prisoners on their entrance to penal institutions.

The reports of the social agencies which had had contact with the ex-prisoner or his family proved invaluable in checking up vital statistics. Information both corroborating and supplementing that given by the man to the examiner at the Reformatory was obtained from these reports. This included such items as prior industrial history, character of the home, conjugal relations of the parents, occupations of various members of the family, etc. In many cases illuminating data were secured in regard to the delinquency, intemperance, insanity, or public dependency of members of the family. These facts were further substantiated by letters from the hospitals or other institutions concerned. Any available information throwing light on the mental condition of the man studied was noted. Any facts which supplemented the information already contained on the parole schedule, such as that relating to the places of residence, occupation, or behaviour during parole, were entered.

In addition to the reports from the agencies the extracts from letters proved very helpful. For example, there was frequently a letter from a parent or wife or other near relative, giving the early life story of the prisoner, and sometimes his employment record. This information was checked against the facts already gathered and on occasion it was used for lack of less emotionally-tinged data.

Extracts from the reports of probation officers, though meagre, also proved helpful, particularly in corroborating the pre-Reformatory court record and industrial history. Sometimes information about the family and the home life was also secured in this way. Letters from former employers often threw light on the prior industrial record, but very rarely was it possible to secure a definite

statement as to the exact dates of a man's employment. For this reason it was necessary, as previously mentioned, to send questionnaires to the employers asking them specifically for the dates and nature of the man's employment. Extracts from reports of police officials in towns where the man had been criminally active supplemented not only the prior court record, but on occasion the family history. Sometimes a letter from a former teacher or school principal contained important facts about the early school conduct of an ex-prisoner.

We said above that the juvenile-court files were searched for histories of the men studied. These records were helpful in supplementing not only the criminal history, but also the pre-Reformatory industrial record, the family history, and frequently the record of early delinquencies of siblings. Some of the juvenile-court cases also included a summary of mental examinations made by the Judge Baker Foundation. Such reports frequently revealed delinquencies, mental disease of relatives, etc.

If important information was still lacking after this editing and corroborating process had been completed, we could sometimes add data through the personal follow-up visits to the homes of the men. The field investigator was asked specifically to secure data relating to the prior history of the man and his family not already contained in our records. For example, sometimes a father's intemperance was revealed in the follow-up visit, or the ex-prisoner gave our investigator more definite information concerning his early school life, early delinquencies, etc.

Some detailed illustrations relating to the supplementing of data in the manner described will more vividly indicate the process:

A. Criminal History

Case A. The criminal record as given by the youth at the time of his sentence to the Reformatory was as follows:

October 16, 1914	Lynn, Mass.	Forgery	Probation
December 6, 1914	Lynn, Mass.	Forgery	6 mos., House of Correction in Salem

The record was carefully studied, and it was noted that the ex-prisoner had lived not only in Lynn, where he had spent most of his boyhood, but had gone to Maine, stopping at Portland, Bangor, Danforth, Bancroft, and Easton for short periods. The police of these cities were written to and the additional criminal record gathered from these various sources was as follows:

November 19, 1910	Bangor, Maine	Drunk	Committed for non- payment of fine
December 19, 1910	Bangor, Maine	Robbery	Not guilty

February 7, 1911	Bangor, Maine	Drunk	Continued
May 10, 1911	Bangor, Maine	Assault and battery	60 days in jail
February 15, 1912	Bangor, Maine	Drunk	Committed for non-payment of fine
March 26, 1912	Bangor, Maine	Vagrancy	15 days in jail
September 22, 1913	Bangor, Maine	Breaking, entering, larceny	Nol. prossed

In this case the institutional history was also supplemented. The man had originally stated that he had been in the House of Correction in Salem for six months, but it was found that he had also been on four occasions in the jail in Bangor, Maine.

Case B. The record as originally given by the prisoner was:

November 18, 1911	Boston	Larceny	4 mos., House of Correction
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It was known from the youth's own statement to the examiner at the Reformatory that until he was six years of age he lived in B—, Vermont, and from the age of six to the age of thirteen in C—, Massachusetts. Running away from home, he lived in S—, Vermont, for three years, then returned to C— for two years; then went to M—, New Hampshire, for two years; then to P—, Maine, for one year; then again returned to M— for two months, and to S— for six months; then came to Boston, where he stayed for nine months; then back to P— for one month; then to B—, New York, for three months; then, after a brief visit to his mother in M—, he went to Hartford, Connecticut, for five months; then to P— for two weeks; then he came to Boston and was arrested three weeks later for the offence for which he was sent to the Reformatory. Obviously, we could not assume that the only prior record which this youth had was the one given by him and also known to the Boston police. The police of all the cities mentioned above were written to, with the result that it was learned that he had a juvenile record in M—, New Hampshire, but it was not possible to secure the details of this from the police. On September 24, 1909 he was arrested in M— for arson, and was sent to the N— Industrial School, and in addition, on May 19, 1912, he was arrested in P—, Maine, for safe-breaking, and on June 13, 1914 he was arrested in the same city for larceny, but the complaint was withdrawn.

It will be noted that at the time of his sentence to the Reformatory it was known only that he had served a sentence at the House of Correction on Deer Island for four months. In addition, however, he had been at the N— Industrial School from September 1909 to January 1911. This school was written to, and it was found that in January 1911 he was transferred from this institution to the

M— county jail, remaining there until May 1911, and was transferred from there to the C— State Hospital on May 24, 1911, where he remained until September 8, 1911, on which date he decamped from the institution. The diagnosis given was "not insane."

B. Industrial History

Case C. The statement relating to the industrial history was given by the youth as follows:

<i>Date</i>	<i>Duration</i>	<i>Character of Work</i>	<i>Place</i>
1912	18 mos.	Running motor-boat	Boston harbour
1913	3 mos.	Chocolate-boy	Boston, Mass.
March 1914	1 year	Hostler	Boston, Mass.

The report from the juvenile court revealed other employers and places of employment. These were written to with the following results:

<i>Date</i>	<i>Duration</i>	<i>Character of Work</i>	<i>Place</i>
Nov. 25 1912 Vfd.	18 mos.	Running motor-boat	Boston harbour
Jan. 24 1913 Vfd.	2 mos., \$6 week	For lumber dealer	East Boston
April 1913 Vfd.	2 mos., \$2 day	Skinning-machine, shoe-factory	East Boston
Sept. 1913 Vfd.	3 mos., \$7 week	Chocolate-boy, candy-factory	Boston
Oct. 1913 Vfd.	1 mo., \$8 week	Stable-boy	Boston

C. Family History and Other Facts

Case D. In this case the prisoner had stated that his mother was not living, that his father had been born in Sweden, and that his mother had been born in the United States. From a report of the Society for Prevention of Cruelty to Children, which had known the family, it was revealed that the mother was living and that both parents were born in Russian Poland. The youth had also said that his brother had had two epileptic seizures. He made no further statement concerning the delinquency of other members of the family. Through the police of the city in which the family was found, it was learned that the mother had been arrested once for illegal sale of liquor, and the father had been arrested twice, once for maintaining a liquor nuisance and once for operating an auto under the influence of liquor.

Case E. This prisoner stated that he was born in 1898. Through a record of the state Department of Mental Diseases his date of birth was found to be 1888. He had stated that he was a citizen of Canada, and it was found from the agency report that he was a citizen of the United States. He had stated that he was born in Canada, and it was found that he was born in Boston. He had stated that his

parents were dead, but from the report of the state Department of Mental Diseases it was proved that his parents were completely unknown to him, since he had been abandoned as a very young child. By writing to the school which he had attended, it was found that he had always been troublesome and was a sex pervert. He had stated that his sex experiences began at the age of twenty and it was found that they had really begun when he was under twelve years of age.

Case F. The record of this boy was corrected and supplemented by a detailed report received from the Family Welfare Society. He had stated that the character of his parents was good. It was found, however, that they were both intemperate. He had given the religion of his parents as Catholic, and it was found that the father was Protestant, and the mother Catholic, and that because of this difference in religion there was continual quarrelling in the home. In response to the question relating to delinquency and insanity of relatives he had reported that a brother is now at the Lyman School. Through the Family Welfare Society report it was learned that three other brothers had criminal records, and, as already mentioned, that both parents were intemperate. The boy had stated that he had attained the sixth grade at the age of fifteen. By writing to the school it was found that he had attained only the first grade at the age of fifteen and that his conduct had been very poor.

Numerous other illustrations could be given of how the schedules were verified, but the above will suffice to indicate the method utilized.

4. Field Investigations

It may be stated that when this investigation was undertaken, there was much doubt on the part of the Reformatory officials as to our success in locating the men and in interviewing them or their relatives. In this connexion it must be borne in mind that there was no reason for the contact with the family other than for the purpose of securing information for a piece of scientific research. It was pointed out to us that the man's position in his community might be jeopardized if inquiries were made of employers, neighbours, etc., or that often the wife and her relatives might not have any knowledge of her husband's Reformatory experience and that there would be harm in disclosing this.

With these obstacles in mind, a field investigator was chosen who had had some twenty years of experience in social work, largely among criminals, and who was known to have considerable tact.¹⁶ It may be stated at this point that the almost invariable success which he achieved in getting interviews and in overcoming any objections which the men or their relatives might have had was phenomenal. It seems well worth while to set down the methods used in approaching the men and their relatives:

¹⁶ Mr. Samuel C. Lawrence.

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1. All the material in the case folder was carefully read, and notes were made which might prove of significance in carrying on the interview. This material included the name, birthplace, and description of the man, the date and cause of his commitment to the Reformatory, a brief outline of his family history, his previous places of residence, previous employment history, and criminal record, a summary of mental examinations, health, and conduct in the Reformatory, the date of parole, later court records as far as known, later employment and places of residence when known, the ex-prisoner's whereabouts at the expiration of the parole period, any special interests or hobbies or characteristics, such as that he "resents questioning," is "over-sensitive," "slow-witted," "conceited," "very bashful." Any information about his general conduct and attitude when he was in the Reformatory proved very useful: for example, "constantly quarrelling," "often punished," "very co-operative," "played in band."

2. The purpose of the interview was carefully explained to the men or their families. It was emphasized that any information which they gave would not be made part of an official record, that their names would never be used, and that their assistance was being enlisted in a scientific research which ought to prove of great value to other young men who might have to spend some time at the Reformatory.

3. Every effort was made to avoid any embarrassment to the man, or unnecessarily revealing to his wife or other relatives the fact that he had been in the Reformatory, if this was not already known to them. The investigator carried a brief letter which he on numerous occasions presented to the man for perusal without making any verbal explanation of the purpose of his visit. The letter read as follows: "The Department of Social Ethics at Harvard University is making a study of the Reformatory at Concord. We are trying to find out whether or not the Reformatory is helpful to the young men sent there. We are hoping to learn how it may become more useful to them. I have been asked to see some of the young men who have been there, and to talk to them about it. I hope that you will be willing to talk with me."

The usefulness of this letter is illustrated in the following case: The man was found in a store in M—, Massachusetts, where he was employed. Several customers were lounging about. He could not well be asked to step outside, and there was no prospect of interviewing him alone outside of the store. The note was handed to him in an offhand way. He read it, folded it, and returned it to the investigator with an understanding smile, and said: "Come up to the house any time tomorrow afternoon." He apparently greatly appreciated this method of introduction, because he was very frank in his interview. In another instance the letter was handed to a man in the presence of his wife, who had not known about the Reformatory experience. The investigator said on giving him the letter: "I just want to know if you could tell me anything about the fellow spoken of in this letter." The man replied: "I will walk with you to the subway."

In this way a trying situation was avoided; the man greatly appreciated the tactfulness used, and gave all the information requested.

It was not always possible to carry on the interviews in the man's home for the reasons suggested above. The investigator often invited him for a walk and a smoke, or to an inexpensive supper. On one occasion the conversation was carried on while our investigator was hanging on the ledge of a window, as an aged mother was afraid to let him in! At other times he has sat in his client's battered old Ford automobile, gesticulating enthusiastically for the benefit of the wife, who was watching from a window and thinking that he was an automobile salesman. On one occasion it was necessary to meet the man at midnight after employment hours. In one case the investigator knew from the record that the wife was a deaf-mute, and therefore there was nothing to be gained by calling at the house. Through the directory the man's place of employment was learned and the investigator called there, but, not wishing to ask the employment department for permission to see him, went to the rear of the building and inquired of an employee whether Mr. G— worked there. Having verified this fact, the investigator waited for an opportune moment and talked with him on the rear of a truck.

It was not possible to keep any regular hours, as it was soon found that many of the people who had to be interviewed could be seen only in the evenings. One interview was carried on at midnight, this being the only time that the man was free. The investigator was not always successful in finding the person sought, on the first attempt. In one case nine visits were necessary before he finally succeeded in getting an interview. The person was a salesman, and his wife continually informed the investigator that he was not at home, nor did she know on what evening he would be in. On the ninth evening he was found because he had to remain in bed on account of a sprained ankle. In some cases as many as fifteen visits were made before an interview could be completed. In the majority of cases, however, from one to three visits were sufficient.

4. Notes were rarely used in the presence of the person interviewed. On occasion they proved helpful in stimulating conversation. For example, the investigator might say: "I see that you worked six months in the cloth-mill." Occasionally it was well to tell the man rather frankly some of the facts contained in the notes. Thus: "They state that you did splendidly on the farm," or "The admitting officials said that you have good intelligence and ability if you will only use it right," or "You had lots of punishments, but I notice they were mostly for small matters."

5. Though, as we said, note-taking in the presence of the person interviewed was avoided as much as possible, the employment record and any information such as dates and addresses which might easily be misspelled or forgotten were entered immediately. It was often found necessary to explain why anything was being put down in writing: "It is only by knowing all this exactly that we

can measure your success." This explanation usually proved satisfactory. In some instances the man or his relatives had to be assured further that nothing would be done which might injure his standing in his community.

6. Although it was necessary to secure certain information of a very specific nature, and therefore to ask questions very directly, when discussing the man's experiences and impressions of the Reformatory, his reaction upon commitment, his attitude towards the officers and towards reform, etc., great care was taken not to ask any "leading questions." For example, instead of asking the man directly whether smuggling of tobacco or other contraband articles takes place, he was asked: "What were punishments in the Reformatory usually for?" He would often name smuggling. Instead of asking him whether he found older prisoners discussing their prior criminal history with young and comparatively innocent boys, he was asked the more general question: "What are the worst influences that a young fellow without much criminal experience will meet in the Reformatory?" Every effort was made to avoid questioning to which merely the unqualified or stereotyped replies "Yes" or "No" could be made. In this way valuable information was secured.

It must be emphasized that the personality of the investigator, his friendliness, his sympathetic attitude, was of greater importance than any of the methods which he himself devised for carrying on the interviews. For example, in one case an inquiry was being made of a neighbour as to the present whereabouts of a family that had moved. "I don't know, and don't want to know," she declared, "but I know they went away owing everybody." Sensing a friendly interest, however, she went into details of the family life of the man, telling how well he was doing before his recent sudden death, how kind he was to his wife and children, how his children always ran to meet him when he came home to supper, how he was always bringing home presents, and what a good neighbour he was. She also directed the investigator to another neighbour, who knew where his widow could be found. All this was absolutely unsolicited. She finally did express curiosity about the investigator's relation to the young man. To this he responded that he was interested in the family and had just dropped in.

The investigator always avoided haste, never resorted to a set order of questions, and above all avoided the attitude of an "investigator." For example, one of the men and his wife both voluntarily told the visitor that the furnace in their house during a previous winter had eaten up eleven tons of coal, which explained why they were using an oil heater in the sitting-room. This led to a discussion of the high cost of living, and information was thus indirectly secured about rental, wages, savings, and debts of the family.

Sometimes, despite all preliminary efforts definitely to locate a man or his relatives, it was found when the investigator made the visit that the family or man had recently moved. Occasionally a neighbour or neighbour's children

knew their whereabouts. Now and then information was forthcoming from local stores, barber-shops, fellows on the corner, and the hangers-out near a local moving-picture theatre, or from the landlord. For example, in one case a little girl in the block where the man had formerly lived knew that he had moved "beyond the gas-house, on the same side, in a big block." This led to the man's discovery. In another case the local theatre-owner said: "He doesn't hang around here any more. You'll find him in Brookline." The investigator often found it indirectly helpful, if all else failed, to visit previous places of residence and to talk with old-timers there who were full of neighbourhood gossip. For example, after nine hours of fruitless search in Philadelphia, a little gossiping in a neighbourhood from which the man and his family had moved several years before revealed a clue which led immediately to their present whereabouts.

If it was known that there were schoolchildren in the family, the records of the school formerly attended were consulted, and in this way it was ascertained to what school they had been transferred. Sometimes a truant-officer would know about the movements of a family. Sometimes a police officer on the beat of the old residence would be useful.

If relatives stated that they did not know the whereabouts of the man sought, and the investigator felt that they could not be believed, a registered letter was sent to the man, addressed in care of the relatives. Special request for a return receipt was written on the envelope. Often in this way a man was located, though this method was not always fruitful, because the relatives sometimes signed for the letter and neglected to forward it to the ex-prisoner.

In attempting to find people in foreign quarters, it was kept in mind that Jewish store-keepers are usually well-informed about customers; that Italian women are known by their husbands' first names; that in Chinatown it is well to go to the "mayor" for information, providing the full name of the person sought is known, as well as his approximate age and occupation; and that in the Syrian colony store-keepers who outfit pedlars prove useful informants.

When it was not possible for our own investigator to see the man or his family, because they lived in isolated communities or in cities too far away from Boston to make the trip practicable, or were confined in some penal institution outside of Massachusetts, special arrangement was made for interviews either by social service agencies or by wardens of the institutions. The agencies or individual social workers who were asked to make the investigations were selected with great care. A letter was written to the social service exchange or the family welfare society of the particular city, describing the purpose and nature of the investigation and asking that they recommend some agency or individual social worker who had had experience with prisoners, and who would probably be willing to do the follow-up work. A letter was then written to the person or agency selected, and a detailed description of the history of the case given. Often excellent results were achieved in this way. In several instances,

however, the agencies did not make a very good contact with the person involved.

Later our field investigator visited some of the places in distant cities and was thoroughly successful in securing the interviews which other workers had not obtained. Here is an illustration of this:

The agency in New York City that had been selected to make the investigation wrote to the ex-prisoner and asked him to call at their office. He did so, and when the purpose of the inquiry was explained, he became very angry and remarked: "What business have they got to rake up my past? I will sue them for it." He flatly refused any information whatsoever, and the social worker was not able to make any headway. About a half-year later our own investigator was sent to New York City. He had been warned by us not to call at the man's house because his wife would be resentful and because her parents, with whom he lived, knew nothing of his Reformatory experience. There being no other way to discover his place of business, however, than to telephone his house and ask for it, the investigator did so. The wife answered the telephone, immediately became suspicious, and wanted to know why the inquirer wished her husband's business address. The investigator realized that he would lose his opportunity entirely unless he secured the information from her, and simply stated that he was from Boston and had come to New York specially to have a talk with her husband. She replied: "Oh, it's about the Reformatory. No you can't see him." The investigator, however, clung to the telephone and poured out into her unwilling ears his plea for an interview, assuring her that no harm could possibly come of it. He understood that her husband had been doing exceptionally well, and for this reason he was especially anxious to talk with him, and he invited her and her husband to meet him at the Hotel Astor. To this she finally consented, and she appeared that evening at the appointed time at a side door of the hotel with her husband. A very successful interview was had, and the couple even invited the investigator to have supper with them at their home. Several similar illustrations might be given.

If the ex-prisoner or his relatives were living in a very small town or in a rural district, it was not thought right to arouse any curiosity about him by asking a social worker to call on him. This had been done in one case with the result that the man's past history might easily have been revealed, since the overseer of the town, who had been asked to make the investigation, proved also to be a selectman and the president of the local bank and to have had business relations with the man in question. In such cases, therefore, if it was known that the man was not married, he was written to directly and asked to supply certain information.

Men who were in the army were also written to directly. The wardens of penal institutions in which any of the men were known to be at the time were communicated with and asked if they or one of their assistants would carry on

the interview. Men in penal institutions in Massachusetts were personally seen by our own investigator. Very frequently where it was considered practicable, the police of a town were asked to make an investigation. This was done only in instances in which it was known that the man had a very considerable criminal record and that no further suspicion about him could be aroused by communication with the police.

In order that investigations which had to be made by persons other than the investigator might be uniform, a questionnaire form¹⁷ was devised, which not only was used by the investigator to serve as a guide, but was sent to the social workers, to the men directly, or to the wardens of institutions, the police, etc., as the case required. If any other information was forthcoming, such as a description of the neighbourhood or home, this was appended, but it was felt that it was not advisable to make the questionnaire long, and that uniformity of data was absolutely essential. The question "Have you been arrested since the end of your parole; if so, in what cities or towns?" is a test question largely for the purpose of finding out whether the man or his family is telling the truth, since in the large majority of instances it was already known to us whether or not he had a criminal record. The question relating to assistance given by social agencies is also one to test the veracity of the man or his family, as in most of the cases social agencies had already been written to. These two questions, however, sometimes furnished clues from the man's family which helped to locate him or further to trace his criminal record.

The investigator in many instances not only saw the ex-prisoner or his parents, but for purposes of supplementing or verifying certain information given him in the first interview, saw other relatives, occasionally a neighbour, a minister, a close friend of the family, perhaps a former employer, the police on the beat, etc. There was no uniformity about the number of persons who were interviewed in connexion with an investigation.

In one instance the man himself was seen, his wife, his sister, and a former employer. In another case, in which the ex-prisoner had recently disappeared, his wife, a maternal aunt, and a former landlord were interviewed. In another instance, where the man was in an institution, his wife, two aunts, and a probation officer were interviewed. In a fourth case the ex-prisoner was seen, also his parents, his sister, an uncle who is a coloured preacher, and an employer. In a fifth case, in which the man had recently died, a neighbour, his wife, his mother, and local police were interviewed. In a sixth case the selectman, an aunt with whom the boy had lived from childhood, a social worker of a local agency, and the chief of police of the town were interviewed.

Each case was considered individually, always keeping in mind the fact that the man's reputation in his community must not be damaged. Where possible, of course, facts were verified by correspondence. The investigator, however,

¹⁷ See Exhibit 9, Appendix A.

found that in some instances personal interviews rather than letters were necessary. For example, a landlady told the investigator that the ex-prisoner's former employer knew of his drug habit and had discharged him on that account, although he was impressed with his honesty. In this instance it was deemed preferable to have a talk with the employer instead of writing to him. In the instance of another man there was a mystery about his employment, which was cleared up by a personal interview with the police captain, proving beyond doubt that the man was a highly successful bootlegger. In another instance it was necessary to find a certain employment manager and to describe the ex-prisoner to him. The investigator also found that particularly in the matter of the verification of the use of leisure it was profitable to talk with relatives, with ministers, with social workers who knew the ex-prisoner, and with local police if his reputation was so bad already that it would not be injured further by conversation with the policeman on the beat.

In seventy-three per cent of the cases either the ex-prisoners or their near relatives were interviewed. Some two hundred ex-prisoners were themselves personally seen.

5. Supplementing of Data after Field Interviews

When the field investigation was completed, the report was carefully read, and any clues that had been given were run down and the employment history or criminal record was verified. Present employers were rarely written to, in order not to jeopardize the positions of the men. The questionnaire form already described was utilized. If it was learned from the ex-prisoner himself or his family that he had been in any cities or towns not already known to us, the police were written to or finger-prints sent out, or the army and navy offices corresponded with. Social service exchanges of cities in which men were now found to have lived were also communicated with, and any social data available about the ex-prisoners or their families secured. If through the interview it had been learned that an ex-prisoner had been in any penal or non-penal institution, the superintendent was asked for a statement as to the length of stay, conduct, diagnosis, etc. By this method the activities of the former prisoner following his release from the Reformatory were traced.

A few illustrations are here given of the method of further follow-up by correspondence after the field investigation had been made:

Case A. The man's only known living relative was an aunt in M—, Massachusetts. A visit to her disclosed that she had known nothing about him for several years. Her most recent information was to the effect that he had been in the United States Navy, and she presumed he was either dead or wandering about the country. The vital statistics of Massachusetts were consulted and it was found that there was no record of his death in the state. The United States Navy was written to, and it was found that he had never enlisted. On the sup-

position that he might possibly be wandering about the country, finger-prints were sent to the United States Department of Justice, and it was learned that this man had been received at the United States Penitentiary at Atlanta, Georgia, in January 1923 from New York City for violating the Drug Act, and had been sentenced to one year and one day. There was a notation on the report also that in the year 1921 he had served nine months at Blackwell's Island, New York, for larceny. A letter was written to the United States Penitentiary asking whether the man had been discharged and where he had gone. The reply was received that he had been furnished transportation to New York City in October 1923. Pursuing this further, then, finger-prints were sent to the police of New York City and a record of six arrests was discovered, the most recent one being in April 1925, also for violating the Drug Act. At that time he had been sentenced to the penitentiary. The name of the penitentiary was not given, however. The New York State Department of Correction was then written to and it was learned that he was at the New York County Penitentiary, on Blackwell's Island. When our investigator made a visit to New York, he called at the island and found that the man had been recently paroled. The parole officer was located, however, and through him the man was found and interviewed.

Case B. A married sister had been located, and when interviewed, she stated that our man was in the United States Army at Camp W—. She gave some information about his conduct and employment history, but it was so meagre that we sent a questionnaire directly to the man. In answer he stated that he had lived in Providence, Rhode Island, throughout most of the subsequent period until he had enlisted in the army, and he also gave specific addresses of employers, which were verified by questionnaire. The police of Providence were written to, and a record was disclosed there. As the sister when interviewed had said that he had wandered about a good deal and that she thought he had been in New York State, finger-prints were sent to the police of New York City, with the result that four arrests for larceny were disclosed prior to his enlistment in the army. Finger-prints were also sent to the army, and through them it was found that he had enlisted in September 1925 and had deserted in September 1927. No report of his return to military control had been received by the War Department. Through our own correspondence with him, however, we knew that he had been returned, as he replied to the questionnaire from Camp W—. Thus on the strength of a few clues received from the sister the man's subsequent history was supplemented.

A schedule¹⁸ was devised to cover the history of the five years following the expiration of the parole period. After the follow-up work had been completed, each case was then carefully read and analysed, and the necessary data were entered on the schedule. In making these analyses, certain information was discarded because it was found to be untrue or unreliable. If, after the schedule

¹⁸ Exhibit 5, Appendix A.

was filled out, there were still more data missing which might be secured through correspondence, they were written for.

The schedules are surprisingly complete, and *out of the 510 cases, there were finally only 27 on which no subsequent information whatsoever was available after the tracking down of innumerable clues. Fairly complete information had been secured in over ninety per cent of the cases.* The men were located all over Massachusetts, in other states, and even in foreign countries.¹⁹

Only after the detailed and painstaking processes described in this chapter was the "raw material" upon which this volume is based in a condition to be statistically treated and interpreted. To the findings and recommendations resulting from such treatment and interpretation the following chapters are devoted.

¹⁹ See p. 358, for details.

This investigation was carried on over a period of three academic years at an annual cost of \$3500, but this entailed the exercise of the very strictest economy and great underpayment of the staff.

CHAPTER VI

THE FAMILIES FROM WHICH REFORMATORY INMATES SPRING

What is the background of our group of 510 young offenders? Whence were they recruited, these soldiers of antisocial campaigns? Are they the black sheep of lily-white families? Let us enter their homes and seek for the answers, comparing them with ordinary American families so far as we can do so.

1. History of Family Criminality

It is impossible to state with accuracy what percentage of the general population of Massachusetts or of the United States is criminal. To estimate it at five or ten per cent would be to place it probably too high, even if one were justified in including violations of the prohibition and automobile laws. In the families of our group of 510 graduates of the Massachusetts Reformatory, however, there is an official record of arrests or commitments for violation of criminal laws which is extremely high and which throws light on the type of family we are dealing with. *In 207, or 51.5 per cent, of the 402 families upon which we have reliable information, there was discovered a court record* for various offences (including drunkenness). This is the record of offences against the law committed by the parents, brothers, sisters, or (in nine cases only) near relatives *prior* to the imprisonment of the men whom we are studying. In 118 families in addition (29.4%), there were delinquencies, such as drunkenness and immorality, which were apparently not recognized officially by police or courts.¹ Thus of the group of 402 families there were only 61 families (15.2%) in which it could definitely be stated that careful investigation had disclosed no known delinquency.²

The reader may be inclined to guess that most of the delinquencies above referred to are minor, principally drunkenness. There were, however, but 26 cases

¹ In thirteen instances (3.3%) there were, in addition to the above, arrests of members of our inmates' families *subsequent* to the Reformatory sentence, and in three instances there was such subsequent criminality not officially recognized.

² The whole story is not depicted here for the reason that only the more serious offences, or those occurring in the immediate family rather than among relatives, are recorded. There are no duplications. For example, if one parent had a court record, and three siblings of the same family had delinquencies not officially recognized, the case was tabulated only *once* — that is, as "official criminal record" of one parent only.

in which the official court record was for drunkenness only, and 74 cases in which family delinquencies which were not officially recognized by police or courts were drunkenness. In other words, *in 302, or 75.1 per cent, of the 402 families in which it was possible to obtain information as to criminal conduct the records covered offences more serious than those of mere drunkenness.*³

It is not, of course, claimed that our group of Reformatory graduates followed in their parents' or siblings' footsteps and committed precisely the same offences; nor is it claimed that we have here an illustration of any "hereditary tendency toward criminality." The important point is that a family tradition of lawlessness and vice, and the attitudes evolved in the homes where such lawlessness and vice are common experiences, are not conducive to a habit of mind and behaviour that ordinarily makes for decent citizenship.

An analysis of the total 207 instances of officially recognized criminality of members of the families of Reformatory graduates indicates that in 82 cases (39.6%) the delinquency was that of one sibling only, in 51 (24.8%) it was that of parents, in 26 (12.5%) it was that of more than one sibling, in 39 (18.8%) it was that of one or both parents and one or more siblings, and in 9 instances (4.3%) of near relatives only.

As to these statistics, the first point to observe is that the records are probably incomplete, and therefore too favourable to the group, in spite of the fact that, so far as we are able to ascertain, the present study represents the most thorough combing of reliable official and unofficial sources for the criminal records of a large group that has yet been made in this country. (It may be said parenthetically that the secret of the great number of "successes" or reformations claimed for juvenile courts, probation, reformatory institutions, and parole is partly to be discovered in the relative superficiality of the work of tracing down subsequent criminal records.)

In considering the soil from which our group of Reformatory graduates spring, the first point to emphasize is, then, that in a majority of the cases where reliable records were obtainable, criminality, if not a family tradition, was certainly a common occurrence. At least it may be said that in most of the families whose histories we have traced, the contact with the police and courts on the part of a son was not a new experience which shocked the members of the family into a novel realization of the precarious status of the family's moral fortunes, so that it could be expected to bring about any fundamental change of attitude. Familiarity with a certain type of antisocial experience may gradually eliminate any deterrent influence, even if it does not go so far as to breed con-

³ No automobile-regulation violations have been included.

The information in the table from which the above data were drawn was secured largely from police officials of cities and towns in which the families of the men lived. The table is no doubt incomplete and represents the true situation only partially; there was probably more delinquency in the families than is here depicted. In the "unknown" group were included cases of families living in foreign countries or whose prior residences in this country were not known.

tempt for it. Within families with a tradition of vice and criminality it is a difficult task to instil in any member the enduring desire to abide by the laws. The familiar needs no arguments in its favour; it has the force of tradition behind it. To attempt to set up other ideals of thought and conduct, on the other hand, is to arouse misgivings, suspicions, and attitudes of defiance and to expect effort in a new unfamiliar direction. The social psychology of a family in which vice and crime are familiar forms of behaviour is a frequently overlooked, yet significant, factor to be taken into account in any plan for the rehabilitation of the individual delinquent and in any social program for coping with criminality.

2. *Economic Status of the Family*

For the purpose of analysing the economic status of the families of our Reformatory graduates the families have been classified as those that are "dependent,"⁴ those that are in the "marginal" economic group, and those that are in the "comfortable" class. Of the 447 families in which information as to economic status was available, 66 (14.8%) were found to be in the dependent group, 252 (56.4%) in the marginal group, and 129 (28.8%) in the comfortable group. Of the last, only 14 families possessed property of more than five thousand dollars. It would be illuminating to compare these figures with those for the Massachusetts population in general, but reliable data as to the economic status of the general population are unavailable. It may safely be stated, however, that were such information at hand, it would probably not disclose as high a degree of dependency and marginality as the above figures show.

Further light on the economic, as well as the social, status of the families from which these young men spring is shed by our data as to the number of families known to social service agencies.⁵ Of the 443 families regarding whom this fact

⁴ *Dependent* is defined as receiving aid continuously from public funds or from persons outside the immediate family. This means chronic dependency. Aid may have been given in the form of money, clothing, food, coal, or medical assistance, etc. *Marginal* means living on daily earnings, but accumulating little or nothing; being on the margin of self-support and dependency. Here are included instances in which temporary aid was resorted to once or twice in order to tide over a critical situation; for example, in case of illness of the bread-winner or desertion of the father. Aid may have been given for a few days or even a month, and with this little assistance the family was able to manage its own problem. *Comfortable* means having accumulated resources sufficient to maintain self and family for at least four months.

These three terms represent a summary of the economic status of the family from the time of the boy's birth to the time of his sentence to the Reformatory. The categories employed are based upon those in use by state hospitals for mental diseases. (See *Statistical Manual for the Use of Hospitals for Mental Diseases*, published by the National Committee for Mental Hygiene, New York City.)

⁵ For the purposes of this study, social service agencies have been divided into four types: (1) *Relief agencies*, including both indoor and outdoor relief, public as well as private. By "relief" is meant not only financial aid, but assistance with clothes, food, groceries, medicines, etc. (2) *Child welfare agencies*, including all agencies that deal specifically with the problems of children (abandoned children, problems of adoption, placing out, custody, day nurseries). In this category are not included, however, correctional or health agencies. (3) *Correctional agencies*, including

was at hand, 189 (42.6%), so far as we were able to ascertain, had not been dealt with by social welfare agencies, while the remaining 254 families (57.4%) *had at least 594 contacts with social agencies.*⁶ Certainly almost sixty per cent of the general Massachusetts population does not receive aid from social welfare agencies! As the majority of welfare organizations involved were either relief or free health-agencies, the difficulty which these services had to deal with must have been essentially that of economic stress and associated social problems.

More than one type of social agency had contact with many of the families. Thus of the 254 families known to social agencies, 158 (62.2%) were dealt with by one type of social agency, 58 (22.7%) by two types, 26 (9.4%) by three, and 12 (4.7%) by four.

As to the types of social agencies involved, 157 of the 254 families (61.8%) were known to relief agencies, 62 (24.3%) to correctional agencies, 86 (33.8%) to child welfare agencies, 81 (31.8%) to health agencies, and 14 (5.5%) to other types of social agencies.⁷

3. Parents' Occupations

A further conception of the family background of our group of offenders is obtainable by an analysis of the occupations of their fathers. Of the 392 cases in which the information was available, 143 (36.6%) were classifiable as belonging to the skilled⁸ occupational group, 92 (23.4%) to the semi-skilled, and 157 (40%) to the unskilled. Comparable statistics relating to the distribution of

truant and industrial schools, penal institutions, juvenile courts. (4) *Health agencies*, including clinics, dispensaries, and hospitals both for mental and for physical care. Where free medical aid is given by the Department of Public Welfare, it is deemed "relief." (5) *Miscellaneous agencies*. The figures above include agencies that dealt not only with the family before the youth was sentenced (or with the prisoner himself if he was married, but information as to his family unknown), but also with his family during his incarceration, providing they had not previously been known to any agencies. These last constitute but a small part of the total.

⁶ Of the above 254 families, 51 were dealt with by 81 agencies only during the prisoners' incarceration; agencies which dealt with the prisoner himself or his wife subsequent to his incarceration are not included in the above.

⁷ The above figures include agencies which knew married siblings of prisoners with whom the latter had resided during the period *prior* to their incarceration, or (if information about the prisoner's family was unknown) which had contacts with married prisoners; also in a small number of cases, agencies that knew the family in the period during a prisoner's incarceration, if no agencies had had contact with the family prior thereto.

⁸ The definitions of skilled, semi-skilled, and unskilled were kindly furnished by Professor John M. Brewer, Director of the Bureau of Vocational Guidance of the Graduate School of Education, Harvard University:

"The *unskilled labourer* does any kind of rough work to which he can be sent without any training whatever. Mere strength of hand or keenness of eye, untutored through any course of apprenticeship or training, would serve for him.

"The *semi-skilled worker* uses tools and processes requiring learning. He cannot take up the kind of work unless he has had a period of experience under guidance or of study. The processes, however, are not greatly complicated and the period of training is likely to be short (three days to three months, perhaps).

"The *skilled worker* uses tools and processes which are usable only by one who has given a long period of time, perhaps at least a year, to the acquiring of the skill. Furthermore, he is quite likely to make use of scientific methods, such as blueprints in his work."

industrial skill among the general Massachusetts population were not obtainable.

The following table compares the enterprises engaged in by the fathers of our ex-prisoners with those of the general male population of Massachusetts:

TABLE I

OCCUPATIONS OF FATHERS OF EX-PRISONERS AND OF GENERAL ADULT MALE POPULATION
OF MASSACHUSETTS
(Percentages)

<i>Occupations</i>	<i>Of Ex-Prisoners' Fathers</i>	<i>Of General Population*</i>
Agriculture, forestry, animal industry.....	7.8	6.6
Extraction of minerals.....	1.9	.3
Manufacturing and mechanical industries.....	62.9	52.7
Transportation.....	8.0	9.2
Commerce.....	11.4	14.4
Public service and professions...	2.4	6.1
Domestic and personal service...	5.6	5.1
Clerical service.....	....	5.6

* Computed from the Thirteenth Census of the U. S., 1910, Vol. IV, p. 111.

It will be seen that an appreciably greater percentage of the fathers of our men than of the general population are engaged in manufacturing and mechanical industries, this being associated with the fact that a greater proportion of our families resided in urban communities. An appreciably greater percentage of the general male population than of the fathers of our men are engaged in the professions. Not a single parent of our group earned his living in clerical service as compared with 5.6% of the general population so engaged.

4. *Education of the Parents*

From the foregoing facts some inference may have already been made by the reader as to the probable educational status of the parents of the offenders involved. In 413 (85.6%) of 482 cases upon which reliable information was obtainable, one or both parents had no formal education. Of these, both parents were illiterate in 44 instances (10.6%); both could read and write in 266 cases (64.4%); one could read or write or do both in 103 cases (25%). *In only 62 cases (12.9%) had one or both parents attended common school*; both had attended in 44 instances (9.1%). In only one family of the 482 did both parents attend high school, and in two other families one parent. Only in four families did one or both parents attend college, there being not one family in which both parents had attended. Since a large proportion of the parents of our young men

were foreign-born, comparison with the "general population" could only validly be made by using the appropriate foreign-nationality educational statistics, which were not available. Certainly, however, more than 13% of the parents among the general population in Massachusetts attended the common school.

5. "Broken Homes"

The next item of importance with reference to the family make-up of the group of offenders we are studying is brought out by Table 2. The influence of "broken homes" in making for delinquency has often been emphasized by workers with juvenile delinquents.⁹ The precise weight of this factor, in a complex, partly imponderable, social-economic situation cannot be given. Nor has it been possible to obtain a "control group" of comparable statistics on this point with reference to the general population. But the number of "broken homes" (when one puts a reasonable content into that term) is so large in our group as to render it probably safe to assume that it is far greater than the incidence of this disintegrative factor of family life in the American population in general.

TABLE 2
BROKEN HOMES BY AGE-GROUPS OF CHILDREN
(The first break in the home is here tabulated)

Parental Status	Age of delinquent when "break" in home occurred						Total	
	Un-known	Birth to 4	5-9	10-14	15-19	20-24	No.	Per cent
One or both parents dead.	..	57	38	40	47	1	183	60.0
Parents separated, divorced, or deserted. . .	5	22	19	17	14	..	77	25.0
One or both parents in prison for year or more, or for frequent shorter periods.	..	1	2	3	2	..	8	2.6
One or both parents in hospitals (mental or physical) for year or more. . .	..	1	2	4	1	..	8	2.6
One or both parents in foreign country, so that son was in U. S. alone or deprived of supervision of one of his parents. . .	..	3	..	5	21	1	30	9.8
Total number.	5	84	61	69	85	2	306	100
Per cent of known. . .		27.9	20.2	22.9	28.3	.7		100

⁹ See, for example, Joanna C. Colcord, *Broken Homes* (New York, 1919, Russell Sage Foundation); E. J. Cooley, *Probation and Delinquency* (New York, 1927), pp. 87 et seq.

A number of significant facts are revealed by this table: (a) In at least 306 cases (60%) out of the 510 an abnormal, often unhealthy, home situation existed by virtue of the long or complete absence of one or both parents. (b) In 214 (71%) of the total cases of broken homes the rift occurred when the offenders whom we are studying were at the formative and impressionable age of fourteen years or under, and in 87 (29%) of the cases when the offenders were adolescent. (c) Death was the disrupter of family unity in 183 cases (60%); separation, divorce, or desertion contributed to the break-up of 77 (25%) of the total of abnormal homes.

If to the instances of homes disintegrated by the physical absence of one or both parents, as reflected in the table, we add the cases in which, though the parents were present in the household, they nevertheless were known to be giving no suitable oversight to the children, the number of "broken homes" must be augmented by 123.¹⁰ *The total of abnormal or deleterious home situations thus mounts to 429, or 84% of the entire group.*

The figure for the separations, desertions, and divorces is probably understated, since it was difficult to take account of brief, sporadic desertions. In connexion with abnormal home situations one must also mention the fact that in 128 of the 456 cases in which reliable information was obtainable (28%), the mothers worked outside of the home for full or part time.

Thirty-six of the Reformatory graduates had stepmothers, 45 had stepfathers, 2 had two step-parents. At least 9 were illegitimate children; at least 12 had foster-parents.

A number of criminologists have recently begun to stress the significance of broken homes as a factor making for delinquency.¹¹ A recent contribution on the incidence of broken homes in the families of offenders states that out of a total of 3,053 social studies of criminals made by the Catholic Charities Probation Bureau in the Court of General Sessions in New York City from January 1, 1925 to November 1, 1926,

"because of the absence of either or both parents, 1,440 or 47.1 per cent . . . were products of broken homes. . . . The removal of the missing parent, generally the father, was due to death, separation or divorce, desertion, or hospital or institutional confinement (occasionally imprisonment), and it was

¹⁰ This figure is thus analysable: mother worked out, 7; father intemperate (constantly), 34; mother intemperate (constantly), 3; father immoral, one; both parents intemperate or immoral, 4; children placed by State Board of Charity because parental home unsuitable, 2; relations of parents very unpleasant, 6; offender left home as boy for year or more to work or seek adventure, without provision of supervision as substitute for parental oversight, 17; other siblings in family delinquent (strong, though not conclusive, evidence of deficient parental oversight), 27; conditions in home so bad that such agencies as Society for the Prevention of Cruelty to Children and similar child welfare agencies had to intervene, 22.

¹¹ See E. H. Sutherland, *Criminology*, pp. 143-5, and articles therein cited; and William Healy and Augusta Bronner, *Delinquents and Criminals, their Making and Unmaking* (1926), pp. 121-3.

upon the mother, therefore, that the care of the children devolved in nearly all instances. Forced to assume the role of bread-winner, her duties as homemaker were necessarily neglected and her absence from the home made it impossible for her to train her children and direct their activities. Even during the evening hours most of her time had to be devoted to the physical details of housekeeping, and little time or energy was available for home-making in its larger sense.

"Because such a large proportion of offenders proved to be products of broken homes it is reasonable to conclude that this condition constituted an important contributing factor in their delinquent careers."¹²

The percentage of broken homes in the general population is unknown, and a desirable "control group" is not therefore available. It certainly cannot be true, however, that half of the homes of the country are "broken" in the ways we have mentioned, during the childhood or pubertal or adolescent periods of the sons of the household.

6. *Nativity of the Parents*

The next item of interest with reference to the families of our group of Massachusetts Reformatory inmates is the nativity of their parents. Both parents of 127 of the 467 families regarding whom information on this point was obtainable (27.2%) were native-born; 268 (57.4%) were foreign-born of the same nationality; in 72 cases (15.4%) either the father or the mother was foreign-born. The foreign-born parents came largely from Ireland, Canada (principally French), Italy, Russia, England, Poland, and Portugal, in the order named.

Social workers and criminologists have often referred to the probable conflict of points of view and standards between the native-born younger generation and the foreign-born elder. By such explanation they have sought to account for the fact that native-born sons of foreign or mixed parentage have higher criminality rates than either native-born sons of native parents or foreign-born children of foreign parents.¹³ The extent of the occasion for this possible conflict in our group is indicated by the fact that in 259 of the 489 families (53%) one or both parents were foreign-born and the sons native-born; in 132 families (30%)

¹² E. J. Cooley, op. cit., pp. 87-8. William T. Root, in *A Psychological and Educational Survey of 1916 Prisoners in the Western Penitentiary of Pennsylvania* (1927), p. 188, likewise finds that "a large majority of the prisoners came from broken homes in the broad psychological use of the caption, including all the factors that impair the home."

¹³ "In 1920 in Massachusetts per 100,000 population 15 years of age and over the following numbers were committed to penal or reformatory institutions for adults: 120 native-born of native parents, 226 native-born of foreign or mixed parents, and 143 foreign-born. This is in general the rating of the three groups, native-born whites of native parents have the smallest number of commitments, foreign-born whites rank second, and native-born of foreign or mixed parents (the second generation) rank highest." — Sutherland, op. cit., p. 101 (compiled from report of Department of Correction of Massachusetts, 1920).

parents and sons were native-born, and in 98 families (17%) parents and sons were foreign-born.¹⁴

The following table compares the incidence of these various nativity groups in our families with that of the general male population of Massachusetts:

TABLE 3

NATIVITY OF PARENTS AND SONS OF EX-PRISONERS' FAMILIES AND OF GENERAL MALE MASSACHUSETTS POPULATION OF VOTING AGE
(Percentages)

<i>Nativity</i>	<i>Reformatory Families</i>	<i>General Population *</i>
One or both parents foreign, sons native.	53.0	22.0
Parents and sons native. . . .	30.0	33.0
Parents and sons foreign. . . .	17.0	45.0

* Abstract of the Census of the United States, 1910, p. 581.

Clearly our figures bear out the proposition that native-born sons of foreign-born parents contribute considerably more than their share to the criminal ranks. There are two and a half times (53% : 22%) as many persons native-born of foreign or mixed parentage in our Reformatory group as are found in the general population; and there are two and a half times (45% : 17%) as many foreign-born of foreign parentage in the general male adult population as in our Reformatory group. Findings of this kind would seem to indicate the great importance of proper child and parent education during the critical period of transition between foreign and native generations, when Old World ways, habits, and attitudes are prone to be misunderstood by American-born children and when, in turn, parents are likely to fail to comprehend the outlook of their children and to adapt themselves to New World standards.

7. Size of the Family and Order of Prisoner in the Fraternity

Psychologists, educators, and criminologists have from time to time referred to the size of the family and the order of a member in the fraternity as of significance in influencing attitudes and conduct. It has been argued that most criminals come from large families, that the children are consequently neglected, and that the oldest child in a large and poor family is not infrequently saddled with the task of looking after the other children and, in the process, may himself be neglected. It is sometimes asserted, also, that an only child, placed in

¹⁴ The remaining 21 cases are distributed among families in which some data are unknown, or wherein parents are native-born, sons foreign.

a position of tyrannical egoism, as it so frequently is, contributes more heavily to the criminal army than do other children.

The census figures for 1910 indicate that the average number of persons per family in Massachusetts was 4.6.¹⁵ The average number of *children* per Massachusetts family, though not given, must of course be much lower. As compared with this, the average number of children in the families of our group of ex-prisoners was 5.3 (A. D., 1.9).¹⁶ *Our prisoners are thus shown to come from families appreciably larger than the average Massachusetts family*, a fact which, taken together with the low economic level and frequently associated evils of crowding, bad sanitation, and poor neighbourhood conditions, is of true significance. The precise weight to be given to this factor of large families in criminal causation is, however, impossible to determine.

Regarding the frequency with which the oldest son becomes criminal, our figures show that in the 502 families about whom this information was obtainable, 138 (27.5%) of our criminal group were first-born sons. Comparable statistics as to the general population are not available.

If one draws the large-family line at five or more children, then in only 48 (9.5%) of our families can it reasonably be inferred that the eldest son was possibly given much of the responsibility of looking after the other children and hence might himself have been neglected. In but 34 cases (6.7%) was the offender an only son.

It is not possible to conclude that the influence of being the eldest child in a large family, or an only son, is of great significance in making for delinquency, owing to the absence of comparable statistics. The size of the family, however, taken in connexion with its economic status, seems to be definitely associated with delinquency.

8. Mental Disease or Defect in the Family

The final significant item regarding the family background of our Reformatory graduates relates to the mental disease or defect of parents or siblings. Relatively little reliable information was available on this elusive aspect of the

¹⁵ U. S. Census, 1910, Vol. II, p. 864.

¹⁶ "A. D.," the average deviation, is the average of the deviations from the arithmetic mean (or mode or median, where these are utilized instead of the arithmetic mean). In the above, the arithmetic average is 5.3, while 1.9 is the average of the deviations of the classes of families of varying numbers of children from the simple average, 5.3. This shows that the average (mean) is made up of groups of individual families whose sizes do not vary materially from the 5.3 mean found for the entire group; in other words, that there are few families extremely small and few extremely large.

We found that our material could be more intelligently presented by use of the mean with indication of its characteristics than by use of the median.

Compare with the above average M. R. Fernald, M. H. S. Hayes, and A. Dawley, *A Study of Women Delinquents in New York State*, p. 235, which gives similar data for New York delinquent women.

inquiry, however. Mental disease of a transitory or permanent nature, or mental defect, was established on the part of one parent in 27 cases, on that of one or both parents and one or more brothers or sisters of the former prisoners in 10 cases, on that of one or more siblings only in 36 cases. In near blood-relatives (included only when no mental disease or defect was recorded in the immediate family) mental disease or defect was found in 16 cases out of the total of 510. Thus there was a total of 89 families (17.4%) in which mental disease or defect was known to have been present. Our information on this point is doubtless incomplete, as we are dealing here with matters about which it is particularly difficult to obtain reliable data. The largest percentage of the cases recorded above covers mental disease rather than defect; it was sometimes difficult, however, from the unsatisfactory nature of existing records, to isolate the latter. Regarding this item, too, no comparable statistics as to the Massachusetts population in general were available; hence no conclusion can be arrived at as to whether the seventeen per cent above recorded is higher or lower than the figure for the general population.¹⁷

9. Summary

The following points emerge from the preceding analysis: (1) Over 50% of the families of the ex-inmates of the Reformatory had an official court record for various offences prior to the imprisonment of the young men studied. In addition, 30% of the families were delinquent, although there was no official record of that fact. In 75% of the 402 families regarding which information was obtainable, the criminal conduct consisted of offences more serious than mere drunkenness. While comparable statistics as to the general Massachusetts population are not obtainable, it is reasonable to conclude that the percentage of criminality among the population in general is probably not so high as the percentages stated.

(2) Fifteen per cent of the families were dependent economically, 56% were in the marginal category, 29% in the comfortable group. About 57% of the families had been dealt with by social welfare agencies, the number of such organizations totalling almost six hundred. Though comparable statistics are not at hand, it is reasonable to conclude that over half of the general Massachusetts population is not dealt with by welfare organizations. Over 60% of the 254 families known to social agencies were dealt with by relief organizations, 24% by correctional agencies, 34% by child welfare agencies, 32% by health agencies, 67% by various other types.

(3) Thirty-seven per cent of the fathers of our men were skilled workers,

¹⁷ Even if comparable statistics were available, lack of standardized definitions of psychological and psychiatric terms would make it difficult to compare our findings with those as to the general population. In recent years definitions have become more uniform, so that the difficulty mentioned is not so formidable in regard to the ex-prisoners themselves as to their parents.

23% semi-skilled, 40% unskilled, figures which, because of lack of comparable statistics, cannot be evaluated. Appreciably more of the fathers of the ex-prisoners than of the general population were engaged in manufacturing and mechanical pursuits, while more of the general population than of the fathers of our men are engaged in the professions and clerical service.

(4) In only 13% of the cases had one or both parents attended common school; in 9% both had attended.

(5) In 60% of the cases an abnormal, often unhealthy, home situation existed by virtue of the long or complete absence of one or both parents, and in 70% of these cases the rift in the home occurred when our young men were fourteen or under. Death disrupted the family in 60% of the cases; separation, divorce, or desertion in 25%. In addition to the 60% of abnormal, unhealthy homes noted above, the children were not given suitable parental oversight in 24% of the cases because the mother worked out or was intemperate or immoral.

(6) The Reformatory group contained two and a half times the number of persons native-born of foreign or mixed parentage as is found in the general Massachusetts population, and there are two and a half times as many foreign-born of foreign parentage in the general male adult population as in the Reformatory group.

(7) The Reformatory inmates are members of families appreciably larger than the average Massachusetts family.

(8) Though 17% of the parents or other blood-relatives of the men were found to have a record of mental disease or defect, it is impossible for various reasons to compare this figure with the incidence of mental disorder in the general population.

CHAPTER VII

PERSONAL AND SOCIAL BACKGROUND OF THE OFFENDERS

From a study of the soil, we turn to consideration of the plant. To understand the problem that the Reformatory is called upon to deal with, it is necessary to know as much as possible of the human beings committed to it by the courts or transferred to it from other penal institutions by the Department of Correction.¹ Are these young men reformable, so far as this may be judged from reliable personal data concerning them? Are they still plastic? Can they be instructed? Are they young men upon whom the school, the Church, the home had exerted influences for good? What is their industrial history? What anti-social habits have they acquired? What, in brief, is their equipment? It is necessary to answer these and other important questions if we would appreciate the true proportions of the task of the Reformatory.

1. Nativity and Citizenship

Four hundred and two (79%) of our ex-prisoners were native-born, as compared to 54.1% native-born in the Massachusetts white male population of voting age.² This large excess of native-born in the Reformatory population studied as compared to the general population runs counter to the belief, often expressed, that the foreign-born contribute more than their proper proportion to the criminal ranks. While this finding is of interest, it is not so important as the point already referred to regarding the possible conflict of traditions and ideals between foreign-born parents and native-born children.³

Four hundred and two (79%) of the Reformatory population studied were citizens of the United States by birth at the time of their commitment to the institution. The table at top of page 124 compares the citizenship status of the foreign-born Reformatory group with that of the foreign-born white population in Massachusetts in 1910.

¹ The Commissioner of Correction has power to transfer from and to any adult penal institution under his jurisdiction, except that he is without power to transfer prisoners from another institution to the State Prison (General Laws of Massachusetts, chap. 127, secs. 97-119). In the case of juvenile institutions the power of transfer is limited to the trustees of the Massachusetts training schools except in instances of transfer of a juvenile from the Reformatory to a state training school, when the Commissioner, with the consent of the trustees, can make the transfer (General Laws of Massachusetts, chap. 120, secs. 15, 16.)

² U. S. Census, Abstract, p. 581.

³ Pp. 118-119.

TABLE 4

CITIZENSHIP STATUS OF REFORMATORY FOREIGN-BORN AND MASSACHUSETTS FOREIGN-BORN POPULATIONS
(Percentages)

<i>Citizenship</i>	<i>Reformatory Population</i>	<i>Massachusetts Population *</i>
Naturalized.	20.3	42.0
"First papers"	3.7	7.0
Aliens.	70.4	47.0
Unknown.	5.6	4.0

* Computed from U. S. Census, 1910, Vol. II, p. 877.

Clearly, there is a much higher percentage of aliens in the Reformatory population studied than in the general population of Massachusetts. Since, however, a considerable number of the Reformatory youths were not yet of age, this fact largely refers to their parents rather than to themselves.

2. Age at the First Serious Breach with Home, and its Cause

Illuminating are the findings as to the ages at which our young men first left home, and the causes for their departure. The table at top of page 125 indicates this situation as regards 416 youths (81.5% of the 510 cases studied) who had left home before their sentence to the Reformatory.

A number of very significant points are brought out by Table 5. Only 94 youths (18.5%) did not leave the parental home at all or departed for brief periods or for causes not deemed to constitute a serious breach in the familial relationships. Of the 416 youths who left the paternal roof or were taken therefrom prior to their commitment to the Reformatory, almost half were of the impressionable age of fourteen or under, and 39% more were between fifteen and eighteen.

The reasons for the breaking of family ties are clear from the table. Those of fourteen or under left home for the following reasons: sentence to penal or correctional institutions, 88 (44%); break-up of the home, 48 (24%); search of employment, 9 (4.5%); migration to the United States, 6 (3%); commitment to non-penal institutions (largely hospitals for the mentally ill, schools for feeble-minded, and the like), 22 (11%); running away from home for periods of six or more months or for frequent briefer periods, 11 (5.5%); commitment to the care of a state board of charity or similar public agency caring for children, 12 (6%); various other reasons, 4 (2%). The reasons for the breach with the household in the case of youths of from fifteen to eighteen years of age were the following: sentence to penal or correctional institutions, 48 (29.6%); break-up of the household, 15 (9.3%); search of employment, 36 (22.2%); mi-

TABLE 5

AGE OF FIRST SERIOUS BREACH WITH HOME AND ITS CAUSE *

Cause	Age							Per cent
	Un-known	6 and Under	7-10	11-14	15-18	19 and Over	Total	
Sentenced to penal or correctional institution....	1	..	9	78	48	12	148	35.6
Break-up of household....	2	14	16	16	15	8	71	17.0
To seek employment.....	...	..	1	8	36	11	56	13.4
To migrate to the U. S....	...	..	1	5	21	8	35	8.4
Committed to non-penal institutions (mental, etc.)	...	8	5	9	1	1	24	5.7
Ran away for 6 mos. or more or frequent brief periods.....	1	..	1	9	12	3	26	6.2
Enlisted in army or navy..	...	..	..	...	16	4	20	4.8
Committed to care of State Board of Charity, etc....	...	3	5	4	1	..	13	3.1
Quarrelled with family...	...	..	..	...	4	1	5	1.2
Various other reasons, such as to escape authorities.	...	..	..	4	7	2	13	3.4
Reasons unknown.....	4	..	..	...	1	..	5	1.2
Total.....	8	25	38	133	162	50	416	100
Per cent.....	1.9	6	9.1	32	39	12		100

* This refers to the first break of the boy away from the home in which he was reared, and represents a serious breach in his family ties. It denotes, usually, a separation of six months or more from the family, or repeated, brief separations. In some instances a shorter separation considered to be of sufficiently grave nature, was included; for example, where a boy left home to go to live with an aunt for three months because he had quarrelled with his brother and could not get along at home, or where a boy was committed to a brother's care by the juvenile court, but returned to his parents after a brief period. These latter cases were very rare. Transfer of a boy to a foster home was not considered a breach if it occurred before the boy was old enough to realize the change (under two years of age). "Broken home" signifies the break-up of the family and the scattering of its members, so that the boy did not remain with one of the parents or with his siblings.

gration to the United States, 21 (13%); commitment to non-penal institutions, 1 (.6%); running away from home, 12 (7.4%); enlistment in the army or navy, 16 (9.9%); commitment to the care of a state agency, 1 (.6%); quarrels with the family, 4 (2.5%); various other reasons, principally to escape from authorities, 7 (4.3%); unknown reason, 1 (.6%).

It will be noticed that of those committed to penal or correctional institutions, the largest number were from eleven to fourteen years old.

Only 50 young men (12% of the total of 416) left home as late as the age of nineteen or twenty. The average age at leaving home for the entire group was 15.04 years (A. D., 3.36); the modal age was sixteen.

Two points should be particularly emphasized: first, the large number (81.5%) of boys and youths in the Reformatory population who left home for such length of time, or under such circumstances, as to constitute a serious, if not a permanent, breach in the familial relations; secondly, the great percentage of cases in which the cause for this family breach was the commission, particularly on the part of boys and youths between the ages of eleven and eighteen, of offences serious enough to have caused their commitment to a penal or correctional institution. This last fact is especially significant in a state which is known for the widespread use of probation as a substitute for imprisonment, when there is any reasonable promise of reformation by such extra-mural treatment.

As to the deprivation of the care of parents during the tender years of seven to fourteen and the adolescent span, much could be said. The obvious point need not be laboured. In the light of what we have learned regarding the parental background of these Reformatory youths, however, it is at least questionable how much parental care and proper guidance and example were lost by them because of their leaving home at an early age. And it is questionable whether, in some cases at least, leaving the parental roof may not have been the lesser of two evils from the point of view of the boys and of society. In other words, the problem is a family rather than an individual one.

If one could obtain figures as to the ages at which sons of families of the general population of Massachusetts leave home, which unfortunately cannot be done, it is safe to assert that the age distribution and average and modal ages would not be nearly so low as those for our Reformatory youths. One may also safely assume that the reasons for leaving home would bear no marked resemblance to those found to be the chief occasions for the breach with the family in our Reformatory population. Certainly, 15.3% of the general, unselected population of Massachusetts does not leave home between eleven and fourteen years of age because of forcible commitment to a penal or correctional institution!

3. *Habits and Associates*

Much effort was made to obtain reliable facts about the vicious habits in the group of young men under consideration. But it was naturally difficult to round out this information. The figures cited below are probably considerably lower than the true incidence of vicious habits among these young men. Only 17 (3.3%) of 508 men were definitely known to be drug addicts; enslavement by the drug habit in 11 (2.1%) more of the remaining cases was doubtful, though suspected.

Three hundred and ninety-seven (78%) admitted, at the time of entering the Reformatory, that they had had illegitimate heterosexual experiences. Of this number, two had had sex contacts at the age of ten; two at eleven; five at twelve; 11 at thirteen; 49 (12.3%) at fourteen; 63 (15.9%) at fifteen; 96 (24.2%)

at sixteen; 67 (16.8%) at seventeen. The remainder of the 397 who admitted having had illegitimate heterosexual relations before entering the Reformatory constituted 102 (25.7%). The age at which earliest heterosexual relations were admitted was unknown in ten cases. In 111 cases (22.5%) prior sexual experience was denied, the fact being doubtful in at least 13 of these, judging by the associates and surrounding conditions of the youths. When one considers that in 132 cases (26% of the total of 508) the young men admitted having had heterosexual experience at the age of fifteen or less, and in 295 cases (58%) at seventeen or less, some conception of the sophistication of the group is gained. Comparable data as to the general population are unobtainable.

No reliable information about abnormal sex-practices was at hand.

By direct admission from the prisoners, supplemented occasionally by information from other reliable sources, it was found that 225 of the men under consideration, or 44.3%, had at one time or another been engaged in gambling of various sorts, including frequent playing of dice and pool for money. Comparable data as to the general population are of course unobtainable.

Two hundred of the men studied (39.4%) were found to have been using liquor excessively (that is, once or twice a week), to such a degree as to interfere with their work, this fact being gleaned from the admissions of the prisoners, supplemented by information from social agencies, police records, employers, and others who knew the youths before their sentence to the Reformatory. Four hundred and forty-three (87%) were habitual users of tobacco in one form or another at the time of sentence. Comparable statistics as to the general population are again not obtainable, although it is known that the use of tobacco is more widespread than it ever has been before. Nor is it clear whether, to what degree, in what way, and under what conditions the use of tobacco is harmful.

A factor of much greater significance is the type of associates with whom our young men spent much of their time in their formative years. Every effort has been made to evaluate companionships reliably, through records made at the time when the youths entered the Reformatory, supplemented and verified by information from social agencies, police, and other sources.⁴ *It was found that 95% of the youths had bad associates prior to sentence to the Reformatory.*

Before considering combinations of the incidence of vicious habits and companions, the above findings may be summarized in tabular form:

⁴ See Chapter V, discussing method. Fortunately the "parole clerk" or "examiner" of the Massachusetts Reformatory throughout the period covered by this study was Mr. Richard B. McSweeney, now probation officer in the Federal Court in Massachusetts, who impresses us as a public official of good judgment, and whose estimates of the Reformatory men at the time of their admission were often borne out by subsequent events.

By "bad associates" are meant criminals, street-corner loafers, poolroom habitués, youths who never or rarely work, but live by their wits, habitual drinkers, professional gamblers. Persons against whom the *only* negative factor was illegitimate sex experiences were for the present purpose not included among bad associates.

TABLE 6

BAD HABITS AND ASSOCIATES IN THE REFORMATORY GROUP

<i>Habits and Associates</i>	<i>Percentage</i>
Use of drugs.....	3.3
Illicit heterosexual experiences	78.0
Gambling.....	44.3
Drinking.....	39.4
Use of tobacco.....	87.0
Bad associates.....	95.0

Of greater illumination is the incidence of various *combinations* of bad habits and companionships in the group studied. This is shown in the next table:

TABLE 7

COMBINATIONS OF BAD HABITS AND COMPANIONS IN THE REFORMATORY GROUP

<i>Combination</i>	<i>Percentage</i>
Bad associates, smoking, gambling, sex.....	16.9
Bad associates, smoking, sex.....	16.0
Bad associates, liquor, smoking, gambling, sex	15.3
Bad associates, liquor, smoking, sex.....	14.4
Bad associates, smoking.....	8.2

The point brought out by this method of analysis is that only rarely have but one or two vicious influences been at work to contribute to the deterioration of the young men we are studying. The rule has rather been an interplay or massing of degenerative factors. This finding is in accord with the generally accepted view of the complexity of criminal causation.

4. Recreation; Mobility

Based on the statements of the men during their first interview with the admission officer at the Reformatory⁵ is the finding that of the 510 men, *only 81 (15.8%) had belonged to any social club or organization for the constructive use of leisure.* Of these 81 men, 36 were members of religious clubs or organizations such as the Holy Name Society, Family Mission, Sodality, Christian Endeavour; 13 belonged to social and athletic clubs such as the Y. M. C. A. or Bunker Hill Boy's Club; 14 belonged to labour unions or other occupational associations such as the Firemen's Union or Longshoremen's Association; 13 belonged to fraternal and religious organizations such as the Knights of Columbus, Odd Fellows,

⁵ The information contained in this paragraph is of the kind regarding which the men's own admissions may be taken as facts.

Elks; one was affiliated with a political club; and four belonged to various other groups.

These figures indicate that the vast majority of the young men whose careers we are retracing had not been absorbed into any of the numerous organizations existing for constructive leisure activity prior to their sentence to the Reformatory. They may therefore be assumed not to have developed that loyalty to and interest in a legitimate group or circle "that counts for something," which is often one of the strong bonds between the individual and law-abiding society. Instead of this, loyalty was expended upon some antisocial group. Without moorings to a wholesome club or small circle possessing legitimate ideals and objectives, without absorption in its plans and activities, without the opportunity for the healthful expenditure of energy, without development of the sense of "belonging," these youths drifted into companionship with others equally deprived and unattached. Though no figures for the general Massachusetts population are obtainable on this point, it is reasonable to assume that the situation is not generally so bad as that existing among our young ex-prisoners.

Obviously the findings indicate that such organizations as the Y. M. C. A., Y. M. H. A., Knights of Columbus, and other fraternal, athletic, and recreational groups are not reaching as many young men who need their aid as they might, and that perhaps new organizations for the friendly guidance of certain elements of our youth are necessary.

Another significant fact in an analysis of the make-up of the young men whose careers we are reviewing is the large percentage whose early adolescence was characterized by frequent and radical changes of environment. This mobility was occasioned by the *Wanderlust* of the youths, the lure of freight-jumping, passage from city to city in search of work or adventure, or frequent movement on the part of the families involved.⁶ Thirty-four (6.6%) of the boys were

⁶ The tabulation on which the above figures are based took account only of cases where there was obviously no permanent settling down in any one place, or where there was a sudden and difficult change of physical environment, such as immigration of a family during the pubertal or adolescent years of the youth, or moving from a very large city to a very small one or vice versa, or from state to state.

In this compilation we did not include, for example, one trip from home, even for a year and a half (to work), if the boy returned to his parental home or resided near enough thereto so that he could return home frequently; nor cases where the boy moved only two or three times to different cities, but remained with his parents, nor those where the boy, though boarding out, nevertheless remained in the city in which he had always lived with his parents. Changes in environment before the age of ten were not included unless the situation which began at that time persisted during the adolescent years. Movements due to army or navy service, or by reason of commitments to penal institutions, were not considered, as in such cases the youth was subjected to a discipline and a protected environment and usually returned therefrom to his former place of residence. Brief, sporadic freight-riding, say for a week or two on two or three occasions, if followed by return to the former home, was not included in the tabulation. Thus it will be seen that the table on which the figures in the text are based included only instances of *very considerable* change in physical environment during the adolescent years.

brought to the United States from foreign countries;⁷ 75 (14.7%) moved about to obtain employment; 70 (13.7%) were roaming, freight-riding, or "traveling"; 54 (10.6%) moved about a great deal with family or relatives or from one foster-home to another. *Thus the life of 233 (45.6%) of the youths was so turbulent during their developmental years as to have rendered it difficult for them to strike root in any community.*

In the United States of today, with easy and cheap means of locomotion and without the passport and police barriers between states that divide Continental countries, the phenomenon of the continual flux of the population must be taken into account in the study of social problems.⁸ While it is hard to estimate the effect of this great mobility of the population upon customs and morals, it is reasonable to assume that it must have considerable influence.⁹ The citizen of the past was born, reared, lived his life, and died in one community. Everyone was known to his neighbours — a fact which exerted a disciplinary influence upon the conduct of the people. Continual locomotion, on the other hand, means anonymity, the likelihood of failure to develop a sense of responsibility to some definite region, or a sense of loyalty to any community of citizens.

At the time of commitment to the Reformatory, 458 (91.5%) of the 501 young men about whom this information was available were residing in urban¹⁰ communities, 30 (6%) in rural; 13 (2.5%) were roaming about the country without fixed habitat. The table at top of next page compares the places of residence of the Reformatory group with that of the Massachusetts population in general.

It is clear from the table that the centres of larger population, particularly those of greatest density, contributed more than their portion to the Reformatory group; the less populated regions furnished less than their share. This fact is in accord with the prior finding¹¹ that the parents of our young men were engaged largely in manufacturing occupations. It is also in harmony with the view that centres of congestion multiply occasions for friction and hence for criminal conduct, while at the same time they afford greater opportunity for crimes, particularly those against property.

⁷ In this figure were included only those who came over during adolescence and remained in one city; the others of foreign birth are appropriately distributed in the remaining categories.

⁸ Sampson and Murdock, the publishers of the Boston Directory, have informed the writers that in 1921 the total changes appearing as compared to the 1920 directory were 64%. This figure includes new names added in 1921, those crossed off as presumably having moved to other cities, and changes of address of those listed in both 1920 and 1921. The publishers state also that such changes vary from about 64% to 69% from year to year. These figures, therefore, furnish a rough estimate of the mobility of the general population of Boston and suggest many social problems peculiar to modern urban life.

⁹ Professor William McDougall has written a penetrating analysis of this factor and has given it an important place in criminogenesis ("Crime in America," *Forum*, vol. LXXVII, pp. 518-23. April 1927). "The essential condition of the rising tide of crime in America is the progressive weakening of the influence of tradition and of the community opinion which gives the moral tradition its hold on men." See especially p. 522.

¹⁰ "Urban" covers cities of over 2,500 population.

¹¹ See p. 115.

TABLE 8

RESIDENCE OF REFORMATORY GROUP AND GENERAL POPULATION
(Percentages)

<i>Size of Community</i>	<i>Reformatory Group</i>	<i>General Population *</i>
Under 2,500	6.1	7.2
2,500 to 50,000 . .	31.4	42.3
50,000 to 500,000 .	33.6	30.6
500,000 or over . . .	28.9	19.9

* U. S. Census, 1910, Vol. II, p. 855.

5. Marital Status; Persons with whom Prisoners were Resident

Only 48 (9.4%) of the 510 men were married when sentenced to the Reformatory, this fact being of course associated with the relatively low average age of our young men at the time of their admission. Of these 48, the marital relations were good¹² in 29 cases, fair in 6, and bad in 13. Of the 48 men married at the time of their commitment, 16 had no children, 18 had one child, 3 had two children, and 11 had three or more children.

One hundred and eighty-four (37.1%) of the 497 about whom the information was available were residing with both parents, 92 (18.6%) with the mother, 43 (8.8%) with the father, at the time of sentence to the Reformatory. Thus 319 (64.5%) were living with one or both parents. Eighteen (3.6%), in addition, were living with mother and stepfather, three with father and stepmother, two with foster-parents. Twenty-five (5%) were residing with brothers and sisters, 30 (6%) with other near relatives (uncles, aunts, grandparents), 28 (5.6%) with their wives (with or without other relatives). Seventy (14%) were boarding or rooming out, and one was in the army. This information is unavailable for the general population of Massachusetts of age distribution similar to that of our young men.

6. Church Attendance

Of the 460 men about whom this fact was known, 39 (8.5%) attended church regularly (every Sunday) prior to their commitment to the Reformatory, 407 (88.5%) were irregular in attendance. Fourteen (3%) were not church-goers. Of those who had attended irregularly 206 (50.5%) had been going to church within a year prior to their commitment, 201 (49.5%) had not been to church for a year or more. It is of course true that a large percentage of the non-criminal population are not church-goers, but "it may be seriously questioned whether the percentage . . . is as great in the law-abiding as it is in the delinquent

¹² *Good* refers to those who get along well together; *fair* to marriages in which there was continual friction, but no separation or open breach; *bad* to marriages in which the parties were separated or divorced

group.”¹³ Precise information as to the extent of church attendance among the general Massachusetts population is not available.

The next table indicates the religious faiths of the Reformatory men as compared to the general Massachusetts population:

TABLE 9
RELIGION OF REFORMATORY GROUP AND GENERAL POPULATION
(Percentages)

<i>Religion</i>	<i>Reformatory Group</i>	<i>General Population *</i>
Protestant.....	28.6	25.2
Catholic.....	66.3	66.4
Hebrew.....	3.9	6.7
Other.....	1.2	1.7

* American volume of the *World Survey*, published by the Interchurch World Movement (1920), pp. 206-7.

It will be seen that the Protestant group contributed slightly more than its share to the Reformatory population, the Hebrew appreciably less. In this connexion it must be remembered that the Reformatory is but one of a number of peno-correctional institutions in the state.

7. Education

The education of our young men was on the whole not of an extent calculated to take them far in legitimate competition in the modern urban, industrial community. The following table presents the school achievement of the 454 Reformatory inmates about whom reliable information was obtainable.

TABLE 10
EDUCATIONAL ACHIEVEMENT OF REFORMATORY GROUP
(Percentages)

<i>Grade reached</i>	<i>Reformatory Group</i>
Never attended school.....	2.4
5th grade or less.....	42.6
6th to 8th grade.....	45.8
9th grade.....	4.6
High school (1 or more yrs.).	4.4
Completed high school.....	.2

¹³ E. J. Cooley, *Probation and Delinquency*, p. 407. Mr. Cooley states that in an investigation of about three thousand delinquents by the Catholic Charities Probation Bureau it was found that sixty-eight per cent “had fallen away from religious observances,” and that “religious belief and varying degrees of fidelity to the teaching of the Church” was found in only about one-third of the delinquents examined.

In contrast to the educational achievement of our Reformatory group is that of Boston schoolchildren in the year 1924-5.¹⁴ During that year 1.4% of boys in the public schools of Boston permanently withdrew from school at the fifth grade or lower; 5.3% withdrew between the sixth and the eighth grades.¹⁵ Of our Reformatory group, but 4.6% continued in school throughout the ninth grade, while 92% of the children in the eighth grade in the year 1922 in Boston public schools entered the ninth grade. In the year 1910, however, which is much nearer the time when our Reformatory group attended school, 53% of Boston public-school children entered the ninth grade.¹⁶

It is, therefore, clear that the schooling of the Reformatory group is far less than that of the general population as represented by Boston public-school children. As the causes for withdrawals from school could not be ascertained in the Reformatory group, we were unable to compare the nature of these causes with those among the general population.

Another important point in this connexion is the factor of school retardation, as indirectly throwing light on the mental make-up of our group and their school behaviour and attendance, and probably also that of the great mobility of their families. As only completely verified data were used, the table of ages and grades from which the following figures have been drawn contained a large "unknown" group for the age factor (219, or 43% of the total of 510), and a considerable, though smaller, "unknown" group for the grade factor (54, or 10.6%). In spite of this statistical limitation, however, one may deduce with sufficient reliability that *a considerable number of our group were educationally retarded one or more years.* Thus 109 (56.5%) (of the 193 about whom both the age and the grade factors were known) who had attained the fifth grade or less were retarded—most of them four or more years. Again, of the 208 who had reached the eighth grade, though the age of such achievement was unknown in 84 cases, a large majority of the remaining 124 were educationally retarded two or more years. In the study of children in the elementary schools of Boston it was found that 37.8% of boys attending school are retarded.¹⁷ In a research made by the Massachusetts Department of Education in 1927, it was disclosed that 12% of boys attending schools in Massachusetts are retarded.¹⁸ These figures indicate a greater degree of retardation in our group than among the comparable general population.

¹⁴ The nearest comparable figures obtainable comprise the permanent withdrawals of male students from the Boston public schools during the school year 1924-5. The withdrawals utilized for this purpose were those caused by physical disability, economic reasons, inability to do school work, dissatisfaction, or being over age.

¹⁵ School Document No. 12, 1925, Boston Public Schools, *Report on Age and Progress of Pupils in Boston Public Schools*. Compiled from Table XXXI, p. 66, and Table XXXIV, p. 70.

¹⁶ Typewritten report of Department of Vocational Guidance of Boston School Committee.

¹⁷ School Document No. 12, Table III, opposite p. 18.

¹⁸ Bulletin, Commonwealth of Massachusetts, Department of Education, Bureau of Research and Statistics, *An Age-Grade Study in Massachusetts*, 1927.

The most frequent age at which our group of Reformatory inmates had left school was fourteen; 143 (28% of the total of 510 or 49% of those whose ages were known) had completed their formal schooling at that age. In the general school population of Boston in 1924 but 8% of all boys of from thirteen years six months to fourteen years five months withdrew from the elementary schools;¹⁹ so that *in the matter of age of withdrawal, as well as in educational achievement and in school retardation, our Reformatory group does not compare favourably with the general population.*

8. Industrial History and Financial Status

The following table gives the ages at which 381 Reformatory inmates about whom information was available began to work:

TABLE II
AGE AT WHICH REFORMATORY INMATES BEGAN TO WORK
(Percentages)

<i>Age</i>	<i>Percentage</i>
8 to 10 years. . . .	1.1
11 to 12 years. . . .	2.9
13 to 14 years. . . .	43.3
15 to 16 years. . . .	40.6
17 to 18 years. . . .	9.2
19 to 20 years. . . .	1.8
21 or over.	.3
Never worked. . . .	.8

It will be seen that four-fifths of the group became wage-earners between the years of thirteen and sixteen, the average age being 15.4 years (A. D., 1.09). The modal age was fourteen years, 145 boys (38.1%) having begun to earn money at that age.²⁰ Some of the group who did not join the ranks of industry until after sixteen had been in penal institutions, which fact partly accounts for their not having begun to work as early as the others.

As to the grade of work customarily²¹ performed by the youths, 70 (13.8%) were in the skilled class, 162 (32.1%) in the semi-skilled, and 273 (54.1%) in the

¹⁹ School Document No. 12, Table XXXIII, opposite p. 68.

²⁰ This is based on the age at leaving school, or information received from social agencies, probation officers, and others who knew the youths, and, in some cases, from the boys' own statements.

²¹ This fact was unknown in five cases. These judgments were made usually on the basis of the job which the youth had held the longest, or the one to which he had returned the most frequently, or, if all jobs were held about the same length of time, the one which required the most skill. See note 8, p. 114, where the definitions of the terms "skilled," "semi-skilled," and "unskilled," as used in this study, are given.

unskilled. There was a wide diversity in the nature of the occupations of the young men, thus making it difficult to classify them more descriptively than according to the degree of skill required. The ten principal categories, in the order of their frequency, were as follows: Rough labour and work at "odd jobs" were engaged in by 20% of the 508 about whom information was available; trucking and chauffeuring by 12.2%; factory work by 12.2%; mill work by 9.8%; farming by 6.5%; salesmen's and store-clerks' work by 6.1%; bellboys' and messengers' work by 6.1%; electrical, machinists', and plumbing work by 5.9%; restaurant work by 4.9%; carpenters', bricklayers', and painters' work by 4.3%; miscellaneous occupations, 30%.²²

Closely related to the foregoing is the length of time our young men held jobs.²³ The longest period of employment for the group (average) was 13.5 months (A. D., 8.5). The high A. D. indicates considerable variation in longest employment. Two hundred and seventy-one of the young men (57.4%) held their longest job for less than a year. Since these particular figures are based largely upon the men's own statements to the examiner at the time of entering the Reformatory, it may safely be assumed that the length of the working-period was exaggerated by them.²⁴

As further evidence of the industrial careers of our young men, it was possible to evaluate the industrial habits of most of the group. One hundred and thirty-two had to be placed in the "unknown" group. Of the remaining 378, the work habits of 198 (52.5%) were found to have been poor;²⁵ those of 105 (27.7%) fair; and those of but 75 (19.8%) good.²⁶ Data as to the work habits of youths of the general population are not available for comparison, but the chances are that of the youths employed more than 20% are good workers, or they would not be retained.

²² Compare p. 197.

²³ Thirty-eight cases were tabulated as "unknown" or "indefinite," because they involved "odd jobs," or the length of time jobs were held was unknown, or other data were missing.

²⁴ The youths' statements were verified in 172 cases by communication with the employers, and it was usually found that the young men had somewhat exaggerated the length of time during which they had held jobs.

²⁵ *Poor*: The worker was not reliable, loafing, lazy, dishonest, unstable, vagabonding, floating, ambitionless, wayward. These factors were considered without regard to the nature of the employment, except when support was derived through proceeds of prostitution or other illegitimate occupations. Seasonal or other fluctuations in industry, not being due to the men, were not considered. The judgments indicate a man's *general disposition* towards work and are based upon the combined opinions of employers, police, and relatives, the last being given the least weight. Thus a poor worker is one who, in the long run, constitutes a liability to the employer.

Fair: This refers to (1) employment previously regular, and recently and voluntarily poor (by recently is meant just prior to sentence to the Reformatory); (2) a person who has the qualifications of the regular worker but who permits his work to be interrupted by periodic drinking, by the drug habit, by occasional vagabondage, by stealing, by deliberate choice of irregular occupations, such as longshoring, for the chief purpose of having leisure time.

Good: Reliable, steady, industrious; showing promise of continuing in regular employment; commended by employers.

²⁶ One never worked.

A further estimate of the industrial status of our group is afforded by an analysis of the extent to which they had been able to save any money or acquire property. Of the 498 on which this information was available, 479 (96.2%) possessed no savings; 19 (3.8%) had some savings, seven of these possessing less than \$100, four less than \$500, one over \$1000.²⁷

Information regarding the earnings of a considerable percentage of the entire group was unfortunately not available for consideration in this connexion. In the 88 instances in which this item was obtainable,²⁸ however, six of the young men had never earned as much as \$5 a week; 25 had earned from \$5 to \$10 a week; 17 from \$10 to \$15; 17 from \$15 to \$20; 13 from \$20 to \$25; and only 10 from \$25 to \$40 per week. The figures are too few to warrant any final conclusions, though one may hazard the guess that were data as to the weekly earnings of the entire group available, they would not essentially differ from the foregoing.²⁹ Of course, only legitimate earnings are considered. How much income was illegitimately obtained by this group, it is impossible to say; but, whatever it was, it, together with legitimate earnings, was evidently soon dissipated.

Closely related to these considerations is the matter of insurance carried on the lives of our young men. A surprisingly high percentage (49% or 243 men) were insured; 252 (51%) were not insured.³⁰ More interesting is the fact that of those carrying insurance only 14 (5.8%) paid their own premiums thereon, whereas in 210 cases (86.5%) the premiums were paid by relatives. For 19 (7.7%) it was not known who paid the premiums.³¹

The foregoing analysis indicates that we are dealing here with young men who, having been forced or having chosen to begin to work at a very early age, have never made any planful industrial adjustment. They have never received even rudimentary vocational guidance. Instead they have drifted industrially, as they have socially, from pillar to post, without definite and enduring aim, without opportunity or desire to rise legitimately from the great army of unskilled, relatively inefficient, unorganized workmen to the more efficient. At the same time these young men have seen wealth all about them, and many of them have engaged in crimes against property as a short cut to the acquisition of those things that other people seem to them to obtain so easily.

We may be entering the realm of speculation when we add to the foregoing interpretation the democratic dogma of the "man in the street." From the little schooling our young men received, from the newspaper headlines, from street-corner and poolroom discussions, from the "movies," they have acquired a too

²⁷ In the case of seven the amount was not ascertainable.

²⁸ These data were gathered from social agencies, employers, and the youths' own statements.

²⁹ Compare post-parole earnings, p. 195.

³⁰ This information was unknown in 15 instances.

³¹ Of the 243 who carried life insurance, 6 had allowed it to lapse some time prior to their sentence to the Reformatory. In a few cases the amounts of insurance carried were reported, these ranging from \$100 to \$10,000 army insurance.

literal and superficial conception of the aphorism "All men are created equal." Some of the boys of their acquaintance have "made money" in business; "I am just as good as they are," is the natural reaction, and "I'm going to have an automobile, good clothes, and good times, too." The difference in the *means* for the acquisition of these material goods is lightly passed over. It is the satisfaction of over-stimulated immediate desires that moves them. In a country that constantly produces marvels, in a land where "everyone has a chance to become President," where daily we learn of the rise of millionaires from the "lower depths," a place where, not only in the movies, but in "real life" the lowliest chauffeurs elope with the daughters of millionaires and of families of high social standing—in such a golden land everyone reaches out familiarly for the good things all about him. Those with defective equipment, who cannot compete within the framework of the legal system, are easily tempted to break through the fences and pluck the dazzling fruit of the rich orchards all about them.

Whether this brief analysis of a situation that contains many more complexities than we have thus far indicated can explain a considerable proportion of contemporary criminality we hesitate to say; certainly, the situation briefly sketched seems to be involved in the life stories of a number of our young men.

9. Summary

These points stand out from the foregoing analysis of the social and economic background of our offenders against the law:

(1) Four-fifths of the Reformatory group are native-born, while only half of the white male adult population of Massachusetts are native-born. Of the Reformatory group four-fifths are citizens of the United States by birth, while in Massachusetts in 1910 slightly over half of the general population were citizens by birth.

(2) Only 94 (18.5%) of the men had not left the parental home at all prior to sentence to the Reformatory, or had left for brief periods or causes not comprising a serious breach in the parent-child relationship. Of the 416 youths who had left home, half departed or were taken from the paternal roof at the impressionable age of fourteen or under, 39% more at between fifteen and eighteen. The average age at leaving home for the entire group was fifteen years; the modal age, sixteen. The reasons for leaving home, in the order of their incidence, were: sentence to penal or correctional institutions, 35.6%; break-up of home, 17%; search of employment, 13.4%; migration to America, 8.4%; running away from home, 6.2%; commitment to non-penal institutions, 5.7%; enlistment in the army or navy, 4.8%; commitment to care of state board of charity or similar public welfare agency, 3.1%; quarrels with family, 1.2%; various other reasons, such as to escape authorities, 3.4%; and unknown reasons, 1.2%.

(3) Vicious habits and associates were common in the group. Illicit heterosexual experiences were admitted by four-fifths of the men, gambling by almost half, drinking by 40%. Ninety-five per cent were found to have had bad associates. Only rarely were but one or two of these vicious influences operative, the rule being rather the massing of vices.

(4) At least 85% of the youths had not been absorbed into socially desirable organizations for the use of leisure time.

(5) Almost half of the youths had moved about from place to place during their early childhood, pubertal and adolescent years, this mobility constituting a factor which probably affected individual responsibility to the neighbourhood, and community control of the conduct of individuals. Evidently, however, the considerable mobility of the Reformatory group is no different from that of the general population. The centres of denser population, especially those of very great population, contributed more than their portion to the Reformatory ranks.

(6) Poor church-attendance characterizes the Reformatory group; church-attendance figures for the general population are, however, unobtainable for comparison. The Protestant group contributed slightly more than its share to the Reformatory population, the Hebrew appreciably less.

(7) The educational retardation of our Reformatory youths is considerably greater than that of the general school population. The educational achievement of the Reformatory group is much lower than that of the general population. Almost half of those whose ages at leaving school were known completed their schooling at fourteen, while less than ten per cent of the general school population of Boston leaves school at that age.

(8) Four-fifths of the Reformatory group began to work between the ages of thirteen and sixteen, the average age being slightly over fifteen; the modal age, fourteen. The great majority of the group (86%) were unskilled or semi-skilled workers on their entrance to the Reformatory. The maximum time that a job was held by the youths was low, 57% of the group having retained their longest jobs for less than a year. The work habits of over half of the youths were found to be poor, only 20% having had good work habits. The earnings were low, and practically none of the group possessed savings.

To round out this picture of the make-up of our group of Reformatory inmates who were released under parole supervision during the years 1911 to 1922 and whose sentences expired in 1921 and 1922, it is necessary now to follow their trail of delinquency and criminality down to the time of their entrance to the Massachusetts Reformatory.

CHAPTER VIII

CRIMINAL EXPERIENCE OF OFFENDERS BEFORE SENTENCE TO THE REFORMATORY

1. Introductory Comments

We have seen that the early proponents of the reformatory system intended this regime for first offenders, or at least for those not already hardened in the ways of crime. To what extent is the original reformatory instrument now burdened with a population not intended for, nor perhaps suitable to, such a regime? It is true that even for "hardened" criminals the more humane and rational program of a reformatory, embracing as it does, or should, opportunity for the learning of trades, for building up of body and mind, for wholesome recreation and other constructive features, is to be preferred to the antiquated state penitentiary regime in which repression and even gratuitous cruelty are too often the methods of "treatment" employed; and a number of prisons have so completely adopted the regime of the reformatory that they are distinguishable from the latter only in name, while a few reformatories contain so little of the aims and methods of true reformation that they are not entitled to their name. But in this study we are interested primarily in the standard reformatory and its modern population, as exemplified by the Massachusetts institution for young offenders. We wish to learn to what extent these institutions have adhered to the original purpose of limiting the institution to presumably more reformable and plastic prisoners—that is, to those to whom antisocial conduct is still a fixed mode of deportment.

To arrive anywhere near the truth in determining the criminal history of prisoners is in our country extremely difficult. Finger-print systems are incomplete, court and other records deficient, the country large, the boundaries between the states free, a well-co-ordinated system of criminal identification conspicuous by its absence. Chapter V, on method, has already indicated how incomplete the ordinary criminal records are and how expensive and time-consuming a process it is to round out the criminal histories even of youthful offenders. That we *located some ninety per cent of the entire group of 510 graduates of the Massachusetts Reformatory a considerable number of years after their discharge from that institution*; that thousands of letters were written to police departments, courts, penal institutions, hospitals, social agencies, and other

offices; that many finger-print and photographic identification records were obtained and compared for this study in different parts of the country; and that gaps have been filled in criminal histories after some of the best police departments in the land had left them incomplete—all these facts indicate the unbelievably large amount of labour necessary in order to gain anything like a true conception of the extent of criminal activity of the inmates of American penal institutions.

2. *Early Arrests and Delinquencies of Offenders*

Four hundred and thirty-three (84.9% of the 510 young men involved) are known to have been arrested prior to the offence for which they were sentenced to the Reformatory; 47 (9.2%) are known not to have had any prior criminal record; 21 (4.1%) had no record in the United States, but their possible criminal record in the foreign countries where they originated is not known. An analysis of the 1944 prior offences¹ for which these young men were arrested discloses that 950 (48.9%) of the known prior offences were classifiable² as property crimes,³ 18 (.9%) as sex offences,⁴ 107 (5.5%) other crimes of violence,⁵ 20 (1%) escape or rescue. Two hundred and eighty-nine (14.8%) of the known prior offences of our group involved alcohol and habit-forming drugs,⁶ drunkenness

¹ The conduct history of nine persons (1.8%) up to the time of their commitment to the Reformatory is unknown. Every available source was tapped for criminal records, including the elaborate files of the Massachusetts Probation Commission, finger-print bureaus, army and navy, police departments and social agencies throughout the United States. The record of known prior offences is therefore exceptionally complete so far as official and other reliable sources are concerned; one cannot know, of course, what fraction of the crimes actually committed are discovered by the authorities and thus get into the records. A recent Illinois study of parole. (*The Workings of the Indeterminate-Sentence Law and the Parole System in Illinois*, p. 212) assert that "over one-half the men in all three institutions [the Illinois reformatory and two state prisons] are classified as first offenders." This high percentage of alleged first offenders lays that study open to the possible charge that the pre-institutional criminal records were not thoroughly traced.

² Anyone who has attempted the classification of crimes knows the difficulties involved. It is practically impossible to classify offences by means of any one principle if the classification is to be useful. The legal principle of seriousness of offences as indicated by the possible amount and type of punishment provided is of little value, because *actual* punishments vary considerably, being founded on the indeterminate-sentence feature. Moreover, it is a familiar fact that states differ widely in the degree and types of punishment provided for the same offences. Furthermore, classification of isolated acts on the basis of their seriousness affords but little insight into the personality and motivations of the criminal actors. Classification on the basis of motive is practically impossible, because even with a psychiatric examination of each prisoner it is exceedingly difficult to analyse motives; motives are often multiple and complex. Classification on the basis of the object attacked is so superficial a procedure as to furnish little illumination. Our classification for present purposes, together with notes thereon, is found in Appendix C.

³ These embrace arson, breaking and entering, and burglary, all forms of larceny and receiving stolen goods, robbery, including assault to rob, forgery and uttering, and unlawful appropriation, together with attempts at any of the foregoing.

⁴ These embrace cases of indecent assault, rape, adultery and fornication, abuse of female child, unnatural acts.

⁵ Assault, with or without dangerous weapon, and battery.

⁶ Possessing or dealing in narcotics, and drunkenness.

constituting 279 of these offences. Thirty-seven (1.9%) of the prior crimes involved vagrancy and immorality,⁷ 175 (9%) were juvenile delinquencies not otherwise classified,⁸ 19 (.9%) were violations of automobile regulations, nine (.4%) carrying weapons, 14 (.7%) non-support, and 41 (2.1%) violations of parole or probation.

Two hundred and fifty-two (12.9% of the entire number of offences) fall under the head of various types of petty violations of the law, classifiable as "disturbing the peace."⁹

Among the 950 property offences, burglary and cognate crimes¹⁰ constitute 302 (31.8%), larcenies of all kinds¹¹ number 547 (57.6%), robbery 31 (3.2%), miscellaneous offences 70 (7.4%). The crimes of violence, other than sex offences, were almost all simple assaults and assault and battery.

Any division of crimes into groups of major and minor offences must be more or less arbitrary, because there is room for wide difference of opinion about which side of such a line certain offences should be classified on. Legislatures differ considerably in their estimation of the relative social dangerousness of offences and in the amounts of punishment to be attached thereto.

Moreover, it must not be overlooked that any scheme of classification of acts unrelated to the personality of the actor, his developmental history, and the surrounding circumstances of the offence is artificial. An attempt has, nevertheless, been made to divide crimes into two general groups, largely on the principle that certain offences have in most civilized countries been long and generally regarded as of primary seriousness, others as violations of social regulations rather than crimes of great dangerousness.¹² This classification resulted in the finding that 997 (51.2%) of the offences for which our group of young men had been arrested prior to their sentence to the Reformatory are major or serious, 947 (48.8%) are minor or less serious. It must be reiterated, however, that a judgment of the social dangerousness or characterial depravity of prisoners based exclusively upon any analysis of crimes committed by them is of but secondary value at best, if one wishes to understand the personalities involved, the motives of criminal conduct, and the proper peno-correctional treatment in the *individual* case.¹³

There were but 47 men in our group (9.2%) who had had no prior arrests, so far as could be ascertained. An analysis of the non-court delinquencies of

⁷ Begging, vagrancy, transportation for prostitution.

⁸ Being a delinquent or stubborn child, truancy, and a few other charges.

⁹ Including 57 cases of "gaming." The nature of 13 offences was unknown.

¹⁰ Including attempts to commit burglary or to break and enter, and breaking and entering.

¹¹ Including larceny from building, carrier, or person, and 11 cases of receiving stolen goods.

¹² See Appendix C.

¹³ See Sheldon Glueck, "Principles of a Rational Penal Code," *Harvard Law Review*, Vol. XLI, No. 4 (February 1928), pp. 453 *et seq.*, wherein the Italian penal-code project of Professor Enrico Ferri is criticized, partly along these lines.

these young men, however, discloses, that of only four out of the 480¹⁴ men regarding whose conduct history reliable information was obtainable could it be definitely asserted that no known delinquencies or crimes had occurred prior to the crime for which they were sentenced to the Reformatory!¹⁵ This finding is of the utmost significance, illustrating as it does that *the Reformatory is called upon to rehabilitate a group of men practically every one of whom has already had experience in serious antisocial conduct*. Even if one excludes some of the offences embraced in foot-note 15 as not being of sufficiently severe antisocial nature to have had any marked influence upon future conduct (a concession that some would probably make in such instances as the 19 cases of early illicit sex relations), the truly striking fact of the general criminality of the group which the Reformatory is called upon by society to rehabilitate would remain substantially unchanged.¹⁶

This important finding also abundantly illustrates the consistency and continuity of the antisocial attitude and conduct of the young men who passed through the Reformatory. Were this a study of the general "run of the mill" of all criminals who come before the courts, it would constitute very weighty evidence confirmatory of the belief of many criminologists that a large proportion, perhaps three-quarters or more, of the criminal classes begin their antisocial careers early in life, and that the danger-signals of future criminality are evident to the trained observer at an extremely early age.¹⁷

Considering the modern tendency of the courts to give offenders "another chance" under the milder regimes of industrial school and probation before sentencing them to reformatory or prison, it must be concluded that the Massachusetts Reformatory group are probably more "hardened" in antisocial tendency or deemed more dangerous to the community than many of those offenders who are placed on probation.¹⁸

¹⁴ Our records do not give information as to the early delinquencies of the 21 foreign-born boys, who had no criminal record in the United States so far as could be ascertained. No information was available in 9 cases, the criminal record of these being also unknown.

¹⁵ The pre-Reformatory delinquencies of the 47 youths who had not been arrested prior to their arrest for the crime which sent them to the Reformatory were as follows: indecent assault, 1; dishonourable discharge or desertion from army or navy, 4; truancy and lack of interest in school, 3; freight-riding and sex offence, 1; freight-riding, sex offence, and passing worthless checks, 1; illicit early sex relations, 19; running away from home, 2; many larcenies and running away from home, 1; being troublesome in school and having illicit sex experience, 3; stealing at early age, 1; freight-riding or "bumming," 2; robbery, larceny, or burglary, without arrest, 5; no known delinquencies, 4.

¹⁶ It may be objected that the above conclusion is based upon *arrests*. Correlation of the sentences imposed on the group of 433 who were known to have had a prior record of arrests with the number of arrests indicates, however, that with great frequency arrests were followed by sentences upon convictions.

¹⁷ This thesis has been particularly defended by Dr. William Healy. See his *Individual Delinquent* and other writings. See the next section, on age at first delinquency.

¹⁸ Sentence to the Reformatory is itself, however, deemed a milder disposition than sentence to the State Prison; so that if we can reasonably assume that criminals on probation have on the whole less serious and lengthy records of criminality than those in the Reformatory, we may

3. Age at First Delinquency and Arrest

The following table gives the age distribution of our group at the first known delinquency and the first arrest:

TABLE 12

AGE OF REFORMATORY GROUP AT FIRST KNOWN DELINQUENCY AND FIRST ARREST

<i>Age</i>	<i>First Delinquency</i>		<i>First Arrest</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
6 or under.....	4	.8	1	.2
7 to 8.....	11	2.2	10	2
9 to 10.....	36	7.1	34	6.7
11 to 12.....	86	16.9	76	14.9
13 to 14.....	139	27.2	91	17.8
15 to 16.....	117	23	85	16.6
17 to 18.....	78	15.3	88	17.3
19 to 20.....	28	5.5	55	10.8
21 and over.....	10	2	69	13.7
Total.....	509	100	509	100

It will be seen that 51 (10.1%) of the group had already come into conflict with the social authorities of school or police (principally the latter) at the age of ten or less, 137 (27%) at fourteen or less, 393 (77.2%) at sixteen or less. In all but 39 cases—that is, in 92.5% of the group—conflict with the constituted social authorities, particularly the legal, occurred when the youths were eighteen years old or less. The average age of known first conflict with social authority was 14.8 years (A. D., 2.4). It is probable that the actual number of early conflicts with social authority is considerably larger, and the ages much lower, than the figures given. Our findings understate the true situation, because of the difficulty of obtaining complete, and at the same time authentic, information on this point. The foregoing facts and figures, however, firmly establish the point of the early genesis of antisocial careers so far as ex-inmates of the Reformatory are concerned.

Closely associated with the above point is that of the age when the youths were first arrested. The table shows that 45 (8.9%) of the group are known¹⁹ to have been arrested at the age of ten or less, 121 (23.8%) at twelve or less, 212

just as rationally assume that those in the Reformatory, in turn, have less serious or lengthy records than those in the prison. Without as careful an investigation into the criminal history of the prison population as was made into that of the Reformatory group, however, one cannot be too dogmatic on this point.

¹⁹ Despite every effort to obtain complete criminal records, there may have been in a number of cases arrests prior to the one about which it was possible to secure definite information.

(41.6%) at fourteen or less, and 297 (58.2%) at sixteen or less. The average age of first known arrest was 16.1 years (A. D., 35).

Of 397 men about whom the frequency of arrests was known,²⁰ 47 (11.8%) had not been arrested prior to the arrest for which they were sentenced to the Reformatory, 14 (3.5%) had been arrested once before in every period of three months or less, 55 (13.8%) once in from three to six months, 84 (21.2%) in six to nine months, 52 (13.1%) in nine to twelve months, 35 (8.8%) in twelve to fifteen months, 31 (7.8%) in fifteen to eighteen months, 23 (5.8%) in eighteen to twenty-one months, 18 (4.5%) in twenty-one to twenty-four months, and 38 (9.6%) in twenty-four to fifty-four months. The average frequency of arrests from the time of the first arrest to the date of the arrest which resulted in the sentence to the Reformatory was one in every thirteen months (A. D., 10.2). The high A. D. indicates that there was considerable variation in frequency of arrests.

In every such computation as the above, one should realize that the number of *known* arrests, even where the record is as complete as the present one, probably comprises but a part of the total arrests that might or ought to have been made for the offences actually committed or reported to the police. This fraction varies with police efficiency and with the cleverness of the individual offender in avoiding arrest. In spite of this unknown variable, however, the picture presented by the above figures indicates sufficiently that arrest for the offences for which our young men had been sentenced to the Reformatory was not to the great majority of them a novel experience.

4. Early Convictions, Sentences, and Contacts with Peno-Correctional Institutions

In the total of 1944 arrests, there were 1688 convictions (86.7%). Among the 1688 convictions, 237 cases (14%) were "filed"—that is, not followed by sentence.

The young men we are considering have on the whole had rather frequent experiences of sentences upon conviction prior to the sentence which resulted in their commitment to the Reformatory. Eliminating 25 whose prior records of arrest followed by conviction are unknown or incalculable, 21 not known to have had prior arrests or convictions in the United States, 9 who evidently received no sentences on conviction, and 67 who had been arrested or convicted but once before, we find the following: six had been convicted once in three or

²⁰ In calculating the frequency of pre-Reformatory arrests the time spent in penal and other institutions which fell within the period between the first known arrest and the arrest resulting in the sentence to the Reformatory was not considered. In tabulating the above figures, cases of one prior arrest only were eliminated, because an "average" figure would in such cases have little significance. See Appendix B, for note giving complete details of the method used in arriving at the above figures.

less months, 38 (9.8%) once in three to six months, 55 (14.1%) in six to nine months, 48 (12.3%) in nine to twelve months, 42 (10.8%) in twelve to fifteen months, 29 (7.5%) in fifteen to eighteen months, 22 (5.7%) in eighteen to twenty-one months, 17 (4.4%) in twenty-one to twenty-four months, and 84 (21.6%) in periods ranging from twenty-four to thirty months on the one hand and 126 to 132 months on the other. The average frequency of convictions from the time of the first sentence to the date of the sentence to the Massachusetts Reformatory was one in every eighteen months (A. D., 10.3). The high A. D. indicates much variation in the frequency of convictions. In each such computation as the above it must be remembered that the cases prosecuted to conviction and sentence form but a percentage, and sometimes a startlingly small percentage,²¹ of the total number of arrests. We have already referred to the fact that these, in turn, form but a fraction of the total of crimes reported to the police or actually committed.

In 1451 cases sentence followed conviction.²² This number does not include the sentences on the offences which closed the gates of the Reformatory upon our young men. Sentences upon conviction included the following: fines 221 (15.3%), probation 549 (37.8%), commitments to penal or correctional institutions 604 (41.6%), commitments for non-payment of fine 59 (4.1%), other dispositions (including restitution or reparation, orders to leave the state, lashings) 18 (1.2%).

The types of institution to which the 604 commitments were made are of significance. Commitments to the state board of charity were 11 (1.8%); to schools for the feeble-minded, 11 (1.8%); to denominational homes or protectorates, 6 (1%); to truancy schools, 50 (8.3%); to industrial schools, 209 (34.6%); to adult reformatories, 76 (12.6%); to jails, houses of correction, state farms and workhouses (these ordinarily housing vagrants, the "work-shy," chronic alcoholics, etc., but also some more serious offenders), 216 (35.8%); to prisons and penitentiaries, 22 (3.6%); to institutions the nature of which is unknown, 3 (.5%).

That the experiences with penal and correctional institutions were gained by our group at an early age is another significant point. Thus 48 (9.4%) were known to have been committed to such institutions at the age of twelve or less, 107 (21%) at fourteen or less, 176 (34.5%) at sixteen or less, and 313 (61.4%) at eighteen or less. The average age for the first known sentence to a penal or correctional institution was 17.5 years (A. D. 3.1). These figures indicate that

²¹ See the "mortality tables" and diagrams of the Cleveland crime survey, *Criminal Justice in Cleveland*, 1922, pp. 236 et seq., and of the *Missouri Crime Survey*, 1926, pp. 272 et seq.

²² This figure is the difference between the 1688 convictions and the 237 filed cases. It is to be remembered also that 47 men had no prior court record, in 9 cases prior court record was unknown, and in 21 cases of foreigners there was no known record in the United States. Therefore the above figures refer to the 433 men whose records could be ascertained and who had prior court records in this country.

the penal and correctional institutions were dealing with our young men at a time when many of them were still within the relatively plastic period of youth—an age that presumably still lends itself to considerable influence and re-education.

Commitment to an institution as the severest penalty imposed prior to sentence to the Reformatory was the lot of 268 (52%) of the men. As to the remaining 242 (48%) the severest prior punishment experienced was probation in the case of 124 (51.3%); imprisonment for non-payment of fine in 10 cases (4.1%); fine in 12 (4.9%).

Nineteen (7.8%) of the men were not known ever to have been convicted, 47 (19.4%) not known to have been either arrested or convicted.²³

Forty-nine (9.6% of the "known" group) had previously served one sentence in the Massachusetts Reformatory; eight had served two sentences; one three sentences; and one four sentences. A total of 59 (11.5%) of the young men thus had had prior experience in the institution to which they were sentenced for the offence with which we are primarily concerned.

A careful check-up on the length of time actually spent in institutions (largely penal) by the group, prior to the institutional experience we are studying, discloses that 162 (36.8%) are not known to have spent any time therein,²⁴ 77 (17.4%) spent 10 months or less; 73 (16.7%) over 10 months, but less than 20; 66 (15.1%) over 20, but less than 40; 62 (14%) between 41 and 170 months.²⁵ The average amount of time spent in institutions by those who had had such experience was 19.2 months (A. D., 18). The high A. D. shows that there is considerable variation in the time-spans that make up the average (mean). These figures indicate that a considerable proportion of our men (63.2%) had had prior institutional experience, which, judging from subsequent events, had no effect in curbing any criminalistic tendencies which they exhibited. Since most of these prior institutional experiences occurred at a time when the youths were considerably younger than they were when committed to the Reformatory on the sentence we are studying, it is reasonable to assume that they were more plastic than at the time of entering the Reformatory. The Reformatory thus had a somewhat harder task to perform than did the institutions that had preceded it and that had apparently failed in effective reorientation of the personalities they were attempting to rehabilitate.

²³ It is to be recalled that 21 (8.7%) had no known record in the United States, and their possible record in foreign countries was unobtainable; and the history of 9 more (3.7%) was completely unknown.

²⁴ In this group are included boys who travelled about extensively and who had no known institutional history.

²⁵ This piece of information was unobtainable in 70 cases (13.7% of the total). In the unknown group are included a number of foreign-born boys who apparently have no institutional history in this country and whose possible institutional experiences in foreign lands were unknown.

It is illuminating to make a distinction between what might be termed "constructive opportunities" at the command of courts and utilized in dealing with our men, on the one hand, and less "constructive," on the other. It appears reasonable to classify as "constructive opportunities" such judicial dispositions of cases as placing out in foster-homes, probation, commitment to schools for feeble-minded, state hospitals, and children's homes.²⁶ Analysis of our group from this point of view discloses that 266 (61.5%) of our men had been given one or more "constructive opportunities" before commitment to the Reformatory; 167 (38.5%) had been afforded no "constructive opportunities."²⁷ Of the 266, 156 (58.6%) were afforded one "constructive opportunity"; 60 (22.5%), two; 29, three; 15, four. Six had been given as many as five or six "constructive opportunities" prior to their commitment to the Reformatory.

These facts and figures show once more that *over half of our Reformatory group are failures of other, possibly more constructive, efforts on the part of organized society to cope with their antisociality.* Whether these "constructive opportunities" are so only in name we hesitate to say; certainly the type of probation supervision actually practised in some places hardly deserves to be dignified by calling it constructive. But the fact remains that to cope with this delinquency a variety of efforts less severe than sentence to a prison was made without apparent success in a majority of the cases.

5. Summary

Recapitulating our findings in this chapter, we may mention the following outstanding points:

(1) Over four-fifths of the Reformatory inmates are known to have been arrested for offences other than, and prior to, that for which they were sentenced to the Reformatory. The 433 men with such prior record of arrest are known to have committed at least 1,944 offences previous to the one for which they were sentenced to the Reformatory. Their offences are mostly classifiable as property crimes, crimes of violence, drunkenness, and other petty offences, and juvenile delinquency. Of the 950 property crimes, 32% were burglaries, 58% larcenies, 3% robberies, 7% other offences. Of the total previous offences 52% are classifiable as major crimes, 48% as minor. Only four of the 480 men as to whom information was available could be definitely said to have committed no delinquencies prior to the offence resulting in their sentence to

²⁶ Truancy schools are included among correctional institutions as comprising less constructive facilities employed in the solution of the problem before the court. If commitments to these schools had been added to the above figures, the number of "constructive opportunities" would have been considerably higher. Of course, even the so-called "constructive opportunities" are nowhere near what they might be in efficiency.

²⁷ Of the remaining 77 cases not accounted for in the above, 47 had no prior record, the complete history of nine is unknown, and the prior criminal record of 21 is not completely known because they originated abroad. These last had no record in the United States, however.

the Reformatory, if one includes in the reckoning delinquencies for which they were not arrested.

(2) Open conflict with the social authorities of school or police occurred in the great majority of our group at an extremely early age. In 27% of the cases it came at the age of fourteen or less, in 77% at sixteen or less. The average age of conflict with the constituted authorities was 14.8 years. A considerable percentage of the men (42%) are known to have been first arrested at fourteen or less, and the average age of first known arrests for the entire group was slightly over sixteen years. The average frequency of arrests, not counting periods spent in institutions, was one in every thirteen months (A. D., 10.2).

(3) The 1,944 arrests preceding the one for which the men went to the Reformatory were followed by convictions in 1,688 (82%) of the cases. The average frequency of pre-Reformatory convictions for the group was one in every eighteen months (A. D., 10.3).

(4) In 1,451 cases sentences followed conviction, the sentences being fines in 15% of the cases, probation in 38%, commitment to penal or correctional institutions in 42%, and other dispositions in 5%. Almost half (47%) of the commitments were to industrial schools and adult reformatories; 13% to jails, work-houses, and such places. The remaining commitments were to various other types of institutions, largely of a protective nature, with commitment to prisons and penitentiaries in but 4%. The average age at first commitment to such institutions was 17.5 years. Fifty-two per cent of the men had suffered commitment to a peno-correctional institution prior to their sentence to the Reformatory, 24% had been on probation, the rest had had lesser punishments. Over 9% had served from one to four sentences in the Massachusetts Reformatory itself, prior to their commitment on the sentence we are concerned with. The average amount of time spent in institutions by those who had had prior institutional experience was slightly over nineteen months (A. D., 18).

(5) Three-fifths of the group had been afforded one or more "constructive opportunities" by the courts before being sent to the Reformatory.

Let us now consider our group of offenders during their life in the institution itself, to gain further acquaintance with the sort of men the Reformatory is called upon to reorient and rehabilitate. We shall then be in a position to estimate with sufficient accuracy the response of the men to the methods employed by the Reformatory in its efforts at human reconstruction.

CHAPTER IX

THE OFFENDERS ON ENTRANCE TO, AND WITHIN, THE REFORMATORY

1. Offences for which Sentence to the Reformatory was Imposed

In any discussion of criminality considerable beclouding of the issues results from the difficulty of defining crime itself. It is well known that many new "crimes" are continually being created with the growing complexity of modern industrial conditions and of urban life. If one includes in criminal statistics such offences as violation of the Lord's Day, minor breaches of automobile, building, or sanitary legislation, drunkenness, etc., on the one hand, and homicides, rapes, robberies, burglaries, on the other, it is apparent that one lays oneself open to many pitfalls of interpretation. At the same time any division of offences into "major" and "minor" crimes must be more or less arbitrary.

Division of crimes into major and minor is based ordinarily on statutory distinctions between the jurisdiction of superior and inferior (district, municipal, magistrates') courts or on the possible maximum penalty, or different places of punishment, provided for various offences. In property crimes the distinction between major and minor is ordinarily determined by the value of the stolen article—something purely arbitrary. But these rough differentiations express society's estimate of the relative social harmfulness of different crimes. They are therefore legitimately utilizable for our present purposes, even though we insist that a criminal law and penal procedure based solely upon the consideration of an isolated act instead of the personality and social background of the actor is scientifically unsound and is bound, therefore, to be inefficient. To the above principles of classification we have occasionally added our own opinion as to the relative social harmfulness of various offences when considered as isolated acts. That there is room for differences of opinion on this score is indicated by the wide divergence in statutory distinctions in the various jurisdictions between grand and petty larceny, for example, and in the extreme variations in punishment provided for the same acts. This is a fact that every system calculated to classify criminal acts rather than persons must face. And yet a division of offences into major and minor is of some value for certain purposes.

On the basis of our classification of the crimes for which the young men studied *were sentenced to the Reformatory*, into major and minor offence

groups,¹ it is found that 453 (89.5%) of 506 known offences were classifiable as major, 38 (7.5%) as minor, 15 (3%) as juvenile delinquency. The group of serious offences were sub-classifiable into 416 property crimes² (92%), 24 sex offences (5.2%), and 13 other serious crimes, including homicides (2.8%). The minor offences were sub-classifiable into 10 sex offences of a less serious nature (lewd and lascivious cohabitation, fornication, etc.), 8 cases of vagrancy, 11 of simple assault (without intent to kill, rape, or rob), and various minor infractions.³

It is evident that most of our group committed serious crimes and that property offences, particularly larceny, largely contributed to the total. The fact that so many of the Reformatory group committed serious offences is chiefly explainable by the practice, particularly in Massachusetts and with respect to young offenders, of giving criminals considerable opportunity on probation, before committing them to the Reformatory.

2. *Nature and Length of Sentences to the Reformatory*

An analysis of the nature and length of sentences upon which our group of 510 men were committed to the Reformatory discloses the following facts: "Indeterminate" sentences⁴ were imposed in 435, or 85.3%, of the cases. In this group are included six transfers to the Reformatory from other penal and correctional institutions.⁵ Of the 435 indeterminate sentences, 376 (86.5%) were

¹ Details of this classification, which was also used in other connections, are given in Appendix C. Compare the offences committed prior to the one which resulted in sentence to the Reformatory, p. 357.

² Of these larceny comprised 353 (84.8%), robbery, 48 (11.5%). For further details, see Appendix C.

³ See Appendix C for details.

⁴ The "indeterminate-sentence" law, where it has been adopted, is indeterminate only between minimum-maximum limits. In Massachusetts a maximum but not a minimum is fixed in the case of sentence to the Reformatory. That it was the purpose of the earliest proponents of the indeterminate sentence to fix no limits to judicial discretion in sentencing to, and to parole boards in releasing from, imprisonment is indicated by a statement of Joseph F. Scott, formerly Superintendent of Reformatories for New York, in discussing the origin of the first American indeterminate-sentence law in New York. In the original draft of the bill for the organic law to govern the Elmira Reformatory (1877) the pioneer in the reformatory movement, Mr. Brockway, "embodied an indeterminate sentence without limitation, which was approved by the board of managers [of the institution] and incorporated in their report to the legislature. But, previous to its introduction in the legislature, fearing that the bill in this form might not pass, the draft was altered, limiting the sentence to 'the maximum term provided by law for the crime for which the prisoner was convicted and sentenced.'" This has been the model for all subsequent legislation on the subject. Superintendent Scott was of the conviction that, "undoubtedly, had the section containing the indeterminate sentence clause as originally drafted been left in the bill, it would have become law, as drafted, and would have given to us the purely indeterminate sentence which we have not been able to obtain up to the present time" (Scott, "American Reformatories for Male Adults," in Henderson, *Penal and Reformatory Institutions* (1910) pp. 89, 94).

⁵ For the powers of the Commissioner of Correction to transfer prisoners from one institution to another see note 1, p. 123. The total number of men transferred to the Reformatory from other in-

five-year indeterminate sentences, 54 (12.4%) two-year indeterminate; the remaining five varied from two one-year indeterminate sentences to a five-year "minority."⁶

An analysis of 75 fixed sentences imposed discloses that they ranged from three months to six years, 11 being two-year determinate sentences, 10 one-year, and at least 23 of such nature as to indicate attempts by the courts to limit the scope of operation of the principle of the indeterminate sentence by imposing a *fixed* (determinate) sentence of approximately the duration of the most frequently utilized indeterminate sentence—namely, five years. Thus of these 23, seven were five-year determinate sentences, seven were five-year-and-one-month determinate sentences, nine five-year-and-one-day determinate sentences.⁷

Forty-nine men (65.4% of the 75 receiving fixed sentences) came into the Reformatory by transfer from other penal or correctional institutions.

The above is a presentation of the theoretically possible durations of penal servitude imposed on the group under discussion. What about the time *actually* spent by the men in the Reformatory?

While the average possible length of sentence imposed was 56.4 months (A. D., 3.6), the average period actually served in the institution was 21 months (A. D., 9.51). The most typical period actually spent in the Reformatory was twelve to fifteen months, 131 (25.7%) of the men having been in the institution that long prior to their release on parole. If to this number be added 91 cases of persons who served twelve months or less, it is found that 222 (43.5% of the group) were in the institution for a period of fifteen months or less.⁸

stitutions was 55. The reasons given for these transfers in 20 cases were: to enable the prisoners to attend school or learn a trade, 5 cases; escape, 2; refusal to work at camp, 1; "too young for a house of correction," 1; "sentence too long to be served at Deer Island House of Correction," 1; "to be reformed," or "character building, trade education and instruction," 4; a possible lung infection, 1; discipline, 3; "as he had an 'on and after' sentence at Massachusetts Reformatory," 1.

⁶ This means a sentence that may run until the offender reaches majority. It applies to inmates of the industrial schools. The person who had such a sentence had been transferred from the industrial school to the Reformatory.

⁷ It will be recalled that prisoners on a fixed sentence become eligible for parole only after having served one-half of such fixed sentence. See pp. 166-167. There were probably more such attempts at judicial limitation of the discretion of the parole board. For if one takes into account the fact that customarily an inmate is considered for parole after he has served fifteen months of a five-year indeterminate sentence, then a number of other cases must be added to the list of judicial modifications of the principle of the indeterminate sentence. Such modification was brought about by considerably raising the time of penal service required before release on parole, thus contracting the margin of discretion of the parole board as to the time for considering parole applications of certain prisoners. Of course, the parole board can and has modified its practices, not being strictly governed by its own time-schedule.

⁸ The table from which these figures are drawn embraces all the time actually spent at the Reformatory, from the point of entering on the prison numbers assigned to our group (to identify the sentences of those released on parole in 1921-2) to the time of expiration of parole on such numbers. It includes, therefore, (1) the balance of original sentences which had to be served following revocation of parole for violation of conditions, (2) terms served on new sentences imposed for crimes committed by parolees.

This point should be related to two others; first, the fact that the majority of the young men were not occupied at a trade in the Reformatory sufficiently long to have really mastered it,⁹ and many of them could not have been so occupied because the time required to learn the trade to which they were assigned was longer than the time they actually served; secondly, the fact that the majority of the group were in the institution during the adolescent period¹⁰ of emotional *Sturm und Drang*. *The wastefulness of retaining these young men in the institution for a period probably too brief either to have had any great effect upon their permanent acquisition of a trade or to have resulted in their emotional maturation thus becomes apparent.*

During the period of the sentence we are studying, 54 (10.6%) of the men involved were for various reasons transferred from the Massachusetts Reformatory to other institutions.¹¹ Of these, seven were eventually returned to the Massachusetts Reformatory, the balance not.

Criminologists and psychologists have recently emphasized the "gang" as an important social structure related to delinquency.¹² It was impossible to obtain direct information about our group on this point. Somewhat related, however, is the question of the number of young men who had *in company with others* committed the offences for which they were sentenced to the Reformatory.¹³ Of the 495 cases on which this information was available, 293 (59.2%) were found to have been associated with one or more companions in the commission of the offence; 202 (40.8%) violated the law alone.¹⁴ Of the 293 who had committed an offence in association with others, 173 (59%) were in the company of one other person at the time of committing the offence, 72 (24.6%) in that of two others, and 48 (16.4%) of three or more. Of course this does not mean that all of the offenders whom we are studying, or even the 120 who committed offences in company with two or more associates, were mem-

⁹ See p. 161.

¹⁰ See p. 153, for the age distribution of the group at the time of entering the Reformatory.

¹¹ Reasons given for transfers to other penal and hospital institutions were as follows: to mental hospital because of mental derangement, 7; to Hospital Section of Prison Camp because of tuberculosis, 6; to Prison Camp "because it was thought from their attitude in the Reformatory that they would be sufficiently trustworthy to do well under limited supervision," most of the men being "within a comparatively few months of the time when they would be paroled," 22; to house of correction "because for reasons having to do with their ages, criminal record and personality it was felt that their presence in the Reformatory would be a detriment to other inmates," 14; to State Farm for same reasons, 2; to State Infirmary, reason not given, 1; reason not clear, 2.

¹² See Frederick M. Thrasher, *The Gang* (University of Chicago Press, 1927); and Paul H. Furfey, *The Gang Age* (Macmillan, 1926).

¹³ This information was compiled from the official narrative of the crimes prepared by the police. In a very few cases in which the offence for which the man was sentenced to the Reformatory was not described, a description of a prior offence on which the man had been committed to the Reformatory, or an offence following which his parole was revoked and he was recommitted to that institution on the original sentence, was included.

¹⁴ This includes such offences *à deux* as lewd and lascivious cohabitation, unnatural acts, adultery, assaults (fights).

bers of a "gang." The entire gang concept is vague.¹⁵ The most that can reasonably be deduced from the foregoing facts and figures is that many of our group have committed offences in association with others. One can legitimately do little more than speculate about the percentage of this number who might not have committed offences had they been alone. Individual case histories do, however, bring out the point that often it was probably the presence and dominance or suggestion of companions that led the person studied into ways of crime.

3. *Age at Commitment. Use of Counsel*

The age distribution of the 506 men about whom this information was obtainable at the time of their commitment to the Reformatory on the sentences we are studying was as follows: The average age was 20.19 years (A. D., 2.89). Eight of the group were fifteen or under, 78 (15.4%) seventeen or under, 173 (34.1%) eighteen or under, 306 (60.3%) twenty or under, 161 (33.1%) between the ages of twenty-one and twenty-seven; 33 (6.6%) between the ages of twenty-eight and thirty-six.

An interesting point of another nature that might here be mentioned is the fact that only 101 (23%) of the men appear to have had counsel in connexion with the offence for which they were sentenced, while 338 (77%) were not represented by lawyers. Reasons for failure to utilize legal assistance were not obtainable, but it may legitimately be inferred that in most cases inability to pay for legal services played an important part. Some offenders, however, have given another reason; they expressed their disgust with the ordinary criminal lawyer and their belief that with or without counsel it was "a gamble" as to the outcome. An analysis of the names of counsel, while it does not disclose any such limitation of legal practice in criminal cases to a few outstanding members of the "criminal bar" as did, for example, the Cleveland survey of criminal justice,¹⁶ still indicates that a small number of lawyers are for various reasons more often called upon to assist in criminal cases than are their colleagues.

4. *Physical Condition of Inmates*

A physical examination is given every person committed to the Reformatory, soon after his arrival.¹⁷ An analysis of the findings on such examination in our group, discloses the following facts and figures: Of the 444 men concerning whom such information was available, 63 (14.2%) were found to be in good physical condition, 349 (78.6%) fair, 32 (7.2%) poor. Of the 468 men concerning whom pertinent information was available, 66 (14.1%) were found to have

¹⁵ See Sheldon Glueck, "The Gang Phenomenon," *Social Service Review*, Vol. I, No. 4 (December 1927), p. 557.

¹⁶ *Criminal Justice in Cleveland*, edited by Pound and Frankfurter, pp. 233-4.

¹⁷ See p. 28.

a good physique,¹⁸ 369 (78.8%) fair, 33 (7.1%) poor. Sixteen men, at least, may be said to have been in a partly disabled condition, upon admission to the Reformatory. This group includes epileptic conditions, blindness, well-advanced pulmonary tuberculosis, partial paralysis or atrophy of arm or leg, congenital syphilis. Of the 444 as to whom such information was available, 26 (5.8%) were found to have heart disorders of various kinds, and 118 (26.6%) were suffering from venereal diseases. How does this compare with the general population? "In a hospital population of about 8000 males over 18 years old, all of whom were carefully questioned, 35% gave a history of gonorrhœa, and 11% a history of syphilis, at some period of their lives. These histories and the resulting percentages are believed to represent approximately the truth about an average sample of Boston's adult males."¹⁹ A special survey of the incidence of organic heart-diseases among Boston public-school children from six to fifteen years of age (the nearest comparable material at hand) discloses that .66% were suffering from such diseases.²⁰ It will be seen from these comparative data that the Reformatory group does not contain a greater incidence of venereal diseases than the general population, but that the incidence of heart conditions is greater in the Reformatory group than among public-school children.

5. Mental Make-up of Inmates

At the time our young men were in the Massachusetts Reformatory, the psychiatrist, Dr. Guy Fernald, also had charge of the general medical and surgical work of the entire institution. Hence his time was not sufficient to examine all the prisoners mentally. Moreover, so far as intelligence grading is concerned, the psychiatrist's tests were not completely standardized. He began to use the Binet-Simon tests, but they required too much time to give. He states, too, that they were unsuited to his clientele and to his practice of interweaving treatment with mental examination.²¹ On the basis of experience he therefore gradually evolved a series of tests of his own, including modified parts

¹⁸ Dr. Guy Fernald, the physician and psychiatrist at the institution, submits the following definitions and exposition: "*Physical condition* considers bodily states, including disease conditions and the effects thereof, as contrasted with *physique*, which connotes the effects of growth, development, and approach to type in size, form, frame, proportions, etc. One having a poor physique might conceivably be in good physical condition — i. e., poorly developed or small in size or crippled, yet be free from disease, well nourished, and strong. A flabby musculature is an element in physique, to be sure, but it is of more cogent significance in determining physical condition. The two terms are not synonymous; but neither can the one be wholly extricated from the other. To illustrate further, if one is undernourished, his physique might not show it conspicuously, but his classification in physical condition would be modified because of the fact. An impaired heart is of primary importance to physical condition, but affects the physique secondarily if to any extent."

¹⁹ Dr. Richard C. Cabot, *Observations Regarding the Relative Frequency of the Different Diseases Prevalent in Boston and its Vicinity*, The Shattuck Lecture, 1911, p. 33.

²⁰ Dr. William H. Robey, "A Cardiac Survey of Children in Boston Public Schools," *The Nation's Health*, Vol. IX, No. 12 (December 1927), p. 22.

²¹ See pp. 43-44.

of the Binet-Simon series and his well-known ethical discrimination test.²² For the present purpose it was deemed advisable to compare the psychiatrist's estimates of mental age with school age-grade norms, since the years of grammar-school retardation are indirectly indicative of mental age. For this we used the *Mental Health Primer* published by the Massachusetts Society for Mental Hygiene (Bulletin No. 42), containing a table of the probable final school grades for defective schoolchildren, which was prepared by the leading authority in the field, the late Dr. Walter Fernald, in co-operation with other highly qualified persons.

The Reformatory psychiatrist's findings were also compared with reports of any other psychometric examinations which had been given either at some time prior to the youths' commitment to the Reformatory or subsequent to their release. Occasionally, a judgment made by a teacher or some other reliable observer had to be used in reaching a final decision in a debatable case.

More specifically, the method employed (which had been suggested by a member of the Harvard Psycho-Educational Clinic) was as follows: (1) If the report made by the Reformatory psychiatrist as to the intelligence level of the prisoner did not conflict with the "I. Q." as determined by the school age-grade status or with the findings of any other psychometric examination which had been made before or after, the intelligence quotient as reported by the Reformatory psychiatrist was used. (2) In cases of conflict between the results of the Reformatory psychiatrist's examination and the school age-grades, the latter were accepted if indicating a higher intelligence than that found by the psychiatrist; the former were utilized, if showing higher intelligence rating than that which could be deduced from the school age-grade, wherever the retardation in school could be accounted for by poor attitude, truancy, illness, language difficulty, and other causes. (3) If no other psychometric examination has been made and there were no school or other data against which to check, the results of the Reformatory psychiatrist's examination were used, if there was no information in the complete record of the prisoner, compiled from all sources, which suggested conflicting evidence. It must be mentioned that, in spite of the fact that the Reformatory psychiatrist's intelligence tests are not completely standardized, we have found that his intelligence ratings, as a matter of fact, check up very closely with reports from other sources based on standard tests. (4) If neither data from the Reformatory psychiatrist or from another psychometric examination were available, the intelligence quotient was derived from the school age-grade scale alone.²³ (5) After reduction of all the material to intelligence

²² See Guy G. Fernald, *The Defective Delinquent Class, Differentiating Tests*, reprinted from the *American Journal of Insanity*, Vol. LXVIII, No. 4 (April 1912).

²³ The information concerning the intelligence of the 466 prisoners in which the data could be obtained was drawn from the following sources: Dr. Guy Fernald, psychiatrist at the Massachusetts Reformatory, in 111 cases (23.9%); Dr. Fernald and school in 137 (29.5%); Dr. Fernald, school, and the Massachusetts Department of Mental Diseases in 4 cases (.8%); Dr. Fernald

quotients, these were expressed in terms of the well-known Stanford revision of the Binet-Simon scale, as follows: normal intelligence, I. Q. of 90-110; dullness, I. Q. of 80-90; borderline deficiency, I. Q. of 70-80; feeble-mindedness, I. Q. 50-70; imbecility, I. Q. 20-50.²⁴

While from the foregoing exposition it will be seen that the mental ages of our group of Reformatory graduates were unfortunately not available in as standardized a form as we should have liked, we have done our best to supply any deficiency in the material and to reduce it to a common denominator.

On the basis of the foregoing method, the intelligence distribution of the 466 persons upon whom reliable data on that point could be obtained was as follows: normal, 154 (33%); dull, 112 (24.1%); borderline, 104 (22.3%); feeble-minded, 96 (20.6%). Comparable statistics of the general male adult population of Massachusetts are not available. In an unpublished study recently made by the Psycho-Educational Clinic of Harvard University, however, of 3,638 school-children in three Massachusetts cities, the following distribution of intelligence grades was found: normal and supernormal, 2,872 (79%); dull, 511 (14.1%); borderline, 199 (5.5%); feeble-minded, 56 (1.5%). *It will be seen that the Reformatory population contains a considerable excess of dull, borderline, and feeble-minded groups.* Since the establishment of the special institution for defective delinquents in 1922 it is probable that the percentage of Reformatory inmates in the lower mental classes has been reduced.

As to mental factors other than intelligence, we are fortunate in having considerable information from the Reformatory psychiatrist to supplement the intelligence ratings.²⁵

Of the 384 cases on which we have psychiatric information, there was no

and corroborating data in 9 cases (1.4%); Dr. Fernald, the Waverly School for the Feeble-minded, and grammar-school in 5 cases (1.1%); Dr. Fernald and the Department of Mental Diseases in 6 cases (1.3%); Dr. Fernald and the State Prison in 1 case (.2%); Dr. William Healy of the Judge Baker Foundation, Boston, in 3 cases (.6%); public schools and corroborating data in 98 cases (21%); school only (with no contradictory data) in 63 cases (13.5%); the Department of Mental Diseases in 12 cases (2.6%); the Boston Psychopathic Hospital in two cases (.4%); the Department of Mental Diseases and school in 4 cases (.8%); the Boston Juvenile Court in 1 case (.2%); the State Hospital in 1 case (.2%); the admission clerk at the Massachusetts Reformatory and corroborative data in 1 case (.2%); the School for the Feeble-minded in 4 cases (.8%); the United States Veterans Bureau psychiatrist in 1 case (.2%); the School for the Feeble-minded and grammar-school in 1 case (.2%); Dr. Fernald, school, and the admission clerk at the Reformatory in 1 case (.2%); the Boston Psychopathic Hospital and school in 1 case (.2%).

²⁴ L. M. Terman, *The Measurement of Intelligence* (Boston, Houghton Mifflin, 1916), p. 79.

²⁵ The sources of information as to mental items other than intelligence on the 384 men as to whom we have such information are as follows: Reformatory psychiatrist, in 329 cases (85.6%); psychiatrist and Department of Mental Diseases, 5 (1.3%); psychiatrist and Boston Psychopathic Hospital or other mental hospitals, 4 (1%); State Prison psychiatrist, 10 (2.6%); Department of Mental Diseases, 17 (4.4%); mental hospitals, 11 (2.8%); Boston Juvenile Court, 1; United States Veterans' Bureau, 1; examiner at Massachusetts Reformatory, 4 (1%); Boston Psychopathic Hospital, 2 (.5%).

known mental disease in 265 (69%); a diagnosis of psychopathic personality²⁶ in 68 (17.7%); epilepsy in 9 (2.4%); sex perversion in 13 (3.4%); congenital syphilis in 2 (.5%); a definite major psychosis in 12 (3.1%); alcoholic deterioration in 12 (3.1%); and drug deterioration in three (.8%). In a pioneer psychiatric study of prisoners in America it was found that 12% of 608 persons successively admitted to Sing Sing Prison were "suffering from distinct mental diseases or deteriorations, in a considerable number of whom the mental disease was directly or indirectly responsible for the antisocial activities."²⁷ Of the 608 cases, 18.9% were diagnosed as "constitutionally inferior, or psychopathic, to so pronounced a degree as to have rendered extremely difficult, if not impossible, adaptation to the ordinary requirements of life in modern society."²⁸

A number of later psychiatric studies of prison populations also point to the considerable incidence of mental disorder among persons in penal institutions.²⁹ The percentages of mental disease found in the psychiatric studies of prisoners made in different types of penal institutions in all parts of the country vary, the findings reflecting not only differences of population in jail, industrial school, and prison, but different degrees of skill on the part of the psychiatrists involved and diverse standards in the definition of mental abnormality. Here, again, reliable comparative data for the general population, certainly for the more puzzling class of "psychopathic personalities," are not at hand, particularly regarding the "psychopathic personality" group, and those with psychoneuroses, many of whom are not hospitalized.

Suggestive to the student of aberrant human behaviour are certain peculiarities of emotion, attitude, or conduct noted in the 265 cases in which no major diagnosis of psychosis, psychopathy, epilepsy, congenital syphilis, sex perversion, or alcoholic or drug deterioration was made. The following material was gathered largely from the notations made by the psychiatrist at the Reformatory and supplemented by information from the intensive case studies made by us. No unusual strong emotional or conative trait or enduring attitude was found in the record³⁰ of 105 cases (39.7%); 34 of the prisoners (12.8%) were "easily led or extremely suggestible"; 38 (14.4%) were "emotionally labile or

²⁶ It is fashionable to criticize the use of this concept, on the ground that it is the "waste-basket" of psychiatry. Yet critics who are psychiatrists continue to employ it themselves. Until such time as the peculiar personality and conduct groups comprised in the psychopathic category are more carefully defined and distinguished, we can only utilize the diagnosis found in the records. Dr. William Healy and associates are now engaged in what promises to be a very important work of bringing some order out of the chaos in this field.

²⁷ Bernard Glueck, "A Study of 608 Admissions to Sing Sing Prison," *Mental Hygiene*, Vol. II, No. 1 (January 1918), p. 86.

²⁸ *Ibid.*

²⁹ Some of the more important contributions are collected by Dr. V. V. Anderson in a "Report of a Special Committee of the New York State Commission of Prisons," *Mental Hygiene*, Vol. III, No. 2 (April 1919), pp. 177-98.

³⁰ This does not mean that no peculiar characteristic was actually present; merely that it was not sufficiently patent or strong to be noteworthy.

unstable"; 12 (4.6%) were markedly "impulsive" or "lacked self-control"; 13 (4.9%) were extremely "self-indulgent"; 7 (2.6%) "lacked steadfastness of purpose"; 1 had "persistent wanderlust"; 3 (1.1%) were strikingly egocentric; 2 (.8%) had a persistent "antisocial attitude"; 9 (3.4%) had long been "drifters"; 11 (4.2%) had particularly "low standards."³¹ In 28 cases in addition (10.6%), a secondary diagnosis of alcoholism had been made by the psychiatrist; in 2 (.8%) a secondary diagnosis of drug addiction.

Without intensive, long-continued psychological analysis of the individual case, however, characteristics such as those above noted are but the minor, frequently deceptive portions of the iceberg that are seen above the surface of the soul's waters. Their depth, their true significance, their origin, the deep-flowing currents which wash them—these vital matters cannot safely be deduced from a reading of mere surface indications. Nothing so strikingly reveals the paucity of our knowledge of the motivations of abnormal conduct as this fact, and nothing so forcefully suggests the direction which criminological research can most profitably take.

6. Conduct of the Men in the Reformatory

The young men whose careers we are retracing were guilty of 3,235 violations of institutional rules during the time they were serving in the Reformatory on the sentences under consideration. This is an average of 6.3 offences per prisoner. Practically all possible institutional offences³² were committed by them. They are too numerous in variety to set forth in detail. The offences committed most frequently, however, are the following: talking at the wrong time or place, 637 (19.7%); disobedience of orders, 386 (11.9%); smoking or possessing tobacco,³³ 284 (8.8%); disturbance in various places, largely in the "wing," 191 (5.9%); insolence, 159 (4.9%); refusal to work or "shirking," 242 (7.4%); breaking probation, 100 (3.1%); having a newspaper, 81 (2.5%). Some of the bizarre types of offences reported embrace "gaping about," "hands in pocket," "not wearing outside shirt," "not wearing slippers" in chapel or schoolroom or wearing them in the yard, "acting queer in room," and so forth.

Dividing the institutional violations into those deemed "serious" by the Reformatory authorities and those regarded as "minor," we find that of 3,135 violations the nature of which were definitely known 1,496 (47.8%) were seri-

³¹ Compare items of Woodworth's "Psychoneurotic Inventory," in H. L. Hollingworth, *Psychology of Functional Neuroses* (Appleton, 1920); and S. I. Franz, *Handbook of Mental Examination Methods* (1919). See also J. Slawson, *The Delinquent Boy* (1926). Of course some of the traits and attitudes above set forth may have been the result more of faulty environment or education than of nervous organization or psychological make-up. It is difficult, if not impossible, to draw the line.

³² See p. 323, where this subject, as related to the multiplicity and nature of institutional rules, is discussed.

³³ At the time that most of our young men were in the Reformatory smoking was absolutely forbidden. Only in 1918 were the regulations changed.

ous, 1,639 (52.2%) minor. The serious offences may be subdivided into general groups as follows: rebellion against authority,³⁴ 1,055 (70.5%); violence against person³⁵ (inmate or officer), 345 (23.1%); offences against property,³⁶ 92 (6.1%); sex offences, 4 (.2%). The minor infractions may be thus analysed: offences involving lack of self-control,³⁷ 1,552 (94.7%); offences involving personal orderliness,³⁸ 46 (2.8%); miscellaneous violations, 41 (2.5%). The 100 offences (3.1% of the total) of "breaking probation" are not definitely classifiable as serious or minor.

Dividing the prisoners who committed offences in the Reformatory into three classes — very serious offenders,³⁹ serious, and minor — we find that 37.7% of the 422 who misbehaved in the institution (not counting four whose record was unknown) committed very serious offences; 47.7% serious; and 13.7% minor. The average frequency with which the group under consideration committed an offence in the Reformatory was once in 5.4 months (A. D., 3.3); .4% of the men committed one offence every two weeks; 13.8% one offence per month; 16% one every two months; 13.1% one every three months; 9.6% one every four months; 18.4% one every five to twelve months; 10.4% one every twelve to thirty-two months; 17.5% committed no offences.

Dividing the misbehaving prisoners into very frequent,⁴⁰ frequent, and occasional offenders, we find that 52% were very frequent offenders, 11.3% frequent, 33.9% occasional.⁴¹

There were 221 "revoked" or "in-between sentence"⁴² cases, in 129 of which there were sufficient data to enable us to make a comparison of the institutional conduct of men who had been returned to the Reformatory one or more times, with their conduct on their original incarceration. The result showed that 59% of the group committed offences in the Reformatory less frequently than during their original incarceration; 17.8% as frequently as before; and 23.2% more frequently than before. While the figure involved is not large (129), it seems to indicate that prior institutional experience has some effect in reducing the frequency of offences of prisoners on their return to the Reformatory, possibly because the experienced prisoner has learned that outward conformity to institutional rules brings its rewards.

³⁴ "Crookedness," possessing anything brought in from outside, insolence, defiance, disobedience of orders, refusal to work, malicious mischief, vile language, attempt to escape, lying.

³⁵ Includes fighting, quarrelling, assault (other than sexual).

³⁶ Destroying or injuring state property, or stealing.

³⁷ Such as inattention, idleness, laziness, laughing, "fooling," talking, shirking.

³⁸ Such as bed not properly made, clothing not in proper order, coat not buttoned, etc.

³⁹ *Very serious* indicates the commission of more than two serious offences; *serious* indicates one or two serious, and other minor, offences; *minor* indicates only minor offences.

⁴⁰ *Very frequent* indicates the commission of offences oftener than once in four months; *frequent*, one offence in four months; *occasional*, less frequently than once in four months.

⁴¹ This point was unknown in 2.8% of the cases.

⁴² This means sentence on a new offence while the ex-inmate was on parole; "revoke" refers to revocation of the parole permit and return of the ex-inmate to the institution on the old sentence.

7. Education of the Men in the Reformatory

Under the rules of the institution, 367 (72%) of the men were required to attend the evening school of letters,⁴³ 97 (19%) did not need to attend because, having passed a satisfactory academic test on admission, they were presumed to have had sufficient education before commitment. Four (.8%) were not assigned to school tasks because of illness or because their time in the institution was too brief; no school record had been kept for 42 (8.2%). Of the 367 men attending school, 68 (18.5%) attained the fourth grade; 73 (19.9%) the fifth; 72 (19.6%) the sixth; 40 (10.9%) the seventh; 41 (11.3%) the eighth. Thirty-two (8.7%) were graduated from the eighth, while the remainder, (41, or 11.1%) went no farther than the third grade. Thus the majority of the group (69.1%) achieved no higher status in their education than the sixth grade.

8. Occupational Experience at the Reformatory

In another chapter⁴⁴ the types of occupation available to the Reformatory inmates were described. Our group of offenders were engaged in every variety of occupation offered by the institution, most of the men having worked at several tasks during their incarceration. While these varied tasks are too numerous to set forth in detail (the total types of employment being fifty-five), we may mention the principal ones and the percentage of the men who worked at them: farm work, 240 (47%); weaving, 143 (28%); plumbing, 74 (14.5%); sloyd (woodworking), 67 (13.1%); spinning, 67 (13.1%); work on walks and grounds, 56 (11%); cloth-finishing, 51 (10%); cleaning, 38 (7.4%); work in the dining-room, 38 (7.4%); laundry work, 35 (6.8%); work in cow barn, 32 (6.3%); work in engineer's department, 32 (6.3%); carpentry, 27 (5.3%).

Interesting as affording some idea of the variety of occupation offered the individual at the Reformatory are the figures of the number of trade and industrial experiences given our men. One hundred (19.6%) had but one "try-out"; 162 (31.8%) had two; 141 (27.6%) had three; 68 (13.3%) had four; 28 (5.5%) had five; six (1.2%) had as many as seven trials in various types of occupation; four had no occupational experience; and that of one was unknown.

We come now to a crucial question. One of the main objects of the Reformatory is to teach men trades so that they may, on their discharge, become self-sustaining by legitimate means. Are the men retained in semi-skilled or skilled trades and industries for periods sufficiently long to master them? Are they retained long enough at least to learn the rudiments of the trades and industries? To answer these questions we asked the Superintendent of the Reformatory to supply a statement setting forth the periods of time required for learning the trades and industries involved. His statement, representing the com-

⁴³ See p. 37.

⁴⁴ Pp. 37-38.

bined opinion of himself and the trade-teachers as to the approximate length of time which it takes to learn the *rudiments* of the trades, "in order that a man may have sufficient knowledge of them to work fairly satisfactorily on the outside," is given in the foot-note.⁴⁵ On the basis of this statement it is found that 397 (82.7% of the 480 men who were engaged in trades or industries requiring some skill and about whom information was available) were occupied in one or more trades or industries for a time sufficient for them to acquire the *rudiments*; 83 (17.3%) were not engaged in trades long enough to learn the rudiments.⁴⁶

Looking at this same matter from the point of view of the number of trade and industrial experiences engaged in by the 480 men during their stay at the Reformatory (987), we find that 552 vocations (56%) were engaged in sufficiently long to enable one to learn their rudiments; 435 (44%) insufficiently long for that purpose.⁴⁷

While the above figures apparently indicate success on the part of the trade schools in teaching the *rudiments* of certain trades, those about to be given

⁴⁵ Barber	6 months	Furniture-finisher	6 months
Band	6 "	Hospital attendant	6 "
Blacksmith	9 "	Laundry worker	6 "
Book-keeper	18 "	Mason	6 "
Cabinet-maker	18 "	Machinist	12 "
Carpenter	6 "	Mechanical drawing	18 "
Chair-caner	3 "	Painter	6 "
Clerk	12 "	Plumber	24 "
Cloth-finisher	6 "	Printer	12 "
Cook	6 "	Sawyer	6 "
Engineers dept.	6 "	Shoe-shop worker	6 "
(Fireman, coal-passer,		Stockade worker	6 "
machinist's helper,		Spinner	6 "
steam-fitter's helper,		Spooling worker	1 week
electrician's helper)		Telephone-operator	2 weeks
Engraver	12 "	Tinsmith	8 months
Farm hand	3 "	Teamster	6 weeks
		Weaver	5 months

It will be noted from the above that in accordance with the definition which we used for skilled occupations (those taking a year at least to master), book-keeping, cabinet-making, clerical work, engraving, machinist's work, mechanical drawing, printing, and plumbing fall within this category. It will be noticed that less than a year is required to learn the rudiments of weaving, spinning, and cloth-finishing, according to the Reformatory officials. On the outside, however (information from the Wamsutta Mills of New Bedford, Mass.), these three jobs are rated as skilled occupations. We presume, therefore, that it takes a year or more to gain a complete mastery of them; and the men who had been engaged at one of them for less than a year would, according to our definition, be rated as semi-skilled, while those occupied for more than a year might be called skilled.

⁴⁶ Twenty-eight men were not engaged in a trade or occupation requiring skill; this point was unknown in two cases.

⁴⁷ Unskilled occupations, such as ordinary labouring work, digging ditches, freight-handling, work in a yard gang, work on walks and grounds, kitchen work, dining-room work, cleaning, are not included in this tabulation.

indicate that only a very small proportion of the Reformatory's inmates actually acquire *mastery* of the occupations taught. The trade-school teachers themselves had recorded the belief that but 14 unskilled workers and 73 skilled and semi-skilled workers, a total of 87 or *only 17% of the 510 persons involved, were sufficiently well equipped industrially to earn a good living immediately on the outside*.⁴⁸

But to obtain a fair appraisal of the accomplishments of the Reformatory in this regard, still another analysis was made. Careful study of each case revealed these facts and figures: 218 (43.3%) of the 504 prisoners upon whom this judgment could be made were improved in industrial standing from the status of unskilled to that of semi-skilled or skilled worker; ⁴⁹ 58 (11.5%) were unskilled when they entered and remained so until their discharge; ⁵⁰ 151 (30%) were semi-skilled or skilled in some occupation on commitment, but through their institutional experience became semi-skilled or skilled in the rudiments of a different occupation; 77 (15.2%) were semi-skilled or skilled and their status remained the same.⁵¹ Thus it will be seen that *in 369 cases (73.3%) some advance in occupational status was effected while the men were in the Reformatory; in 135 cases (26.8%) there was no such improvement*.

The institution should thus be credited with raising the industrial skill of its inmates. But more than this is necessary. If trades are not to be forgotten and if men are to be sufficiently skilled therein to obtain employment on the outside, longer training is required than that at present given in the Reformatory.

The following are the judgments of the quality of 290 men as workers made by the shop and trade-school instructors at the Reformatory: ⁵² 205 (70.7%) were good ⁵³ workers; 55 (18.9%) were fair workers; 30 (10.4%) were poor workers.

9. Summary

The following facts emerge from the foregoing analysis:

(1) Our Reformatory group have been sentenced for almost every type of crime, but nine-tenths of them were committed for "major" or serious offences.

⁴⁸ Tabulation made from record folders on file in the Reformatory.

⁴⁹ That is, they were in the institution long enough to learn the rudiments or more of a trade.

⁵⁰ That is, they were engaged only in unskilled work in the Reformatory or at a trade not long enough to learn even the rudiments thereof.

⁵¹ That is, they engaged in the same occupation in the Reformatory as they had on the outside or were not in any occupation in the institution long enough to learn its rudiments, or were doing unskilled work in the Reformatory.

⁵² If a man had been engaged in more than two occupations, the majority opinion concerning him was tabulated; if there were only two opinions, the more favourable of the two was tabulated.

⁵³ *Good* means both capable and of excellent conduct. *Fair* means no special ability, though of good conduct; or industrious, but of bad disposition, or lazy or requiring constant supervision. *Poor* means of no ability and of bad disposition, or lazy or requiring continual supervision.

Property crimes, particularly larceny, comprised nine-tenths of the serious offences; sex offences were relatively infrequent.

(2) In 85% of the cases, "indeterminate sentences" were imposed. Of these, 86% were five-year indeterminate sentences, 12% two-year indeterminate sentences.

(3) While the average length of sentence imposed was over 56 months, the average period actually served in the institution was 21 months. The most typical period spent in the Reformatory was from 12 to 15 months, over one-fourth of the young men having served that long. Almost half the men served 15 months or less.

(4) The average age of the group at the time of admission to the Reformatory was somewhat over twenty years. About a third of the youths were eighteen years or under.

(5) Fourteen per cent of the men were found to be in very good physical condition, 79% in fair condition, and only 7% in poor condition. The percentages as to physique were about the same. Although a fourth of the group were suffering from venereal diseases on their admission, this incidence of social disease is about the same as in the general Massachusetts (largely Boston) population of like economic status. The incidence of heart-diseases was higher in the Reformatory population than among Boston schoolchildren.

(6) One-third of the men are of normal mentality, about half being classifiable as dull or of borderline mentality, and 21% as feeble-minded. Among Massachusetts schoolchildren, on the other hand, 79% were found to be normal and supernormal in intelligence, 20% dull or of borderline mentality, 1.5% feeble-minded. Only 3% of the inmates were found to have definite psychoses; 18% were "psychopaths"; in 70% there was no known mental disease. The remaining 9% were divided among sex perverts, congenital syphilitics, and those suffering from alcoholic and drug deterioration. Sixty per cent of 265 persons not classifiable as psychotic or psychopathic had psycho-neuropathic traits, such as extreme suggestibility, emotional instability, impulsiveness. As to mental disorder, reliable comparable data regarding the general population were not available.

(7) An average of 6.3 violations of institutional rules per man were committed by the group; but 17.5% of the prisoners violated no institutional rules. Almost half the 3,235 offences committed were designated by the officials as serious, and of these rebellion against authority constituted 70%; violence against the person constituted 23%. Lack of self-control constituted 95% of the minor infractions of Reformatory rules. Over half the men were very frequent institutional offenders (committing offences oftener than once in four months), one-third were occasional offenders (committing offences less frequently than once in four months), a tenth were frequent offenders (committing offences once in four months).

(8) Almost 70% of the men attending the Reformatory school of letters did not attain more than the sixth grade; 11% reached only the third grade, 20% the eighth.

(9) Farm work was engaged in by 47% of the men at one time or another, weaving by 28%, plumbing by 14%, other occupations by varying lower percentages. All but some 20% of the men had more than one kind of occupational experience in the institution.

(10) Though 82% were occupied at one or more trades long enough to learn their *rudiments*, and 56% of all the vocations were engaged in sufficiently long to enable the prisoner to learn enough to work at them "on the outside," the trade-school teachers were of opinion that but 17% of the men were sufficiently equipped on discharge, as semi-skilled or skilled workers, to earn a good living immediately at the occupations taught in the Reformatory. Over 70% of the men had been graded by their trade and shop instructors as good workers. Over 40% of the men were improved from unskilled to semi-skilled or skilled capacity, 12% were unskilled on entrance and remained so, and in a total of over 70% some advancement in occupational status was effected.

CHAPTER X

PAROLE HISTORY OF EX-INMATES OF THE REFORMATORY

1. Introductory Comments

Having discussed the Reformatory experiences of our 510 men, we turn now to their conduct while on parole. It will be recalled that in order to obtain a series of cases truly representative of the population of the Massachusetts Reformatory, we chose *all* ex-inmates whose sentences expired during the years 1921 and 1922. The number of such cases turned out to be 510, of which 383 (75.1%) were those in which the sentence expired while the men were out on parole; 13 (but 2.5% of the total) were cases in which the full time of the sentence expiring in 1921 or 1922 was served in the institution rather than on parole. Forty-three (8.5%) were cases in which the parole period would have expired in 1921 or 1922 had the paroles not been arrested prior to that time for new crimes committed while they were out on parole and had they not been newly sentenced to the Reformatory or to the State Prison. Twenty-nine (5.7%) were cases in which, though the parole period would normally have ended in 1921 or 1922, a "revoke warrant" had to be issued for violation of parole conditions, which warrant had, however, been withdrawn after 1921 or 1922.¹ In addition to the foregoing, there were four men (.8%) whose parole period would have expired in 1921 or 1922 had they not escaped from the Reformatory; 12 men (2.3%) whose parole period would have run out in 1921 or 1922 had they not been transferred (while in the institution or out on parole) to some hospital and held there because of mental illness; and 26 men (5.1%) who died in the Reformatory or during their parole period,² but whose sentences (had the men lived and not had their parole permits revoked for misconduct) would have expired in 1921 or 1922.

The sample thus obtained constitutes a fair selection of the population of the Massachusetts Reformatory. About half the sentences happened to expire in

¹ Those parolees for whom a warrant was still out after May 1926, the month when the cases were being drawn from the Department of Correction files for study, were not included. There were only a few.

² Eleven men died either in the Reformatory or in another institution to which they had been transferred because of illness. This high death-rate is due to the influenza epidemic of 1918. In 1925, 1926, and 1927 there were no deaths in the institution.

1921 and half in 1922 (48.5% and 51.5% respectively), a fact which further contributes to the typicality of the sample and the reliability of the statistics drawn therefrom.

2. *Time of Release on Parole*

So much for the years when the sentences of our men expired. The following are the dates when the men were *released from the Reformatory on parole*: 51.3% left the institution in the years 1917 and 1918, 17% more in 1919 and 1920.³ The years of release on parole for the entire group ranged from 1911 to 1922, but only 1.6% left the institution in 1911 to 1913 inclusive, and but 3.5% were released in 1922.

We have seen⁴ that 60.8% of our young men *entered* the Reformatory in 1916 and 1917, and 6.3% in 1915. The rules of the parole board in force when the majority of the men (67.1%) entered the institution had been adopted in 1914.⁵ In September 1917, new rules, based on a different principle, were adopted by the board. The old regulations had provided that the inmate could apply for a permit to be at liberty after he had served a certain time in the "first grade" of the institution, in accordance with the principle of the grade system, and had "lost no marks" during a fraction of that period. Thus, for example, section 1 of the 1914 rules provided that an inmate (except one who had been transferred to the Reformatory from the State Prison) could make written application for a permit to be at liberty after having served "in the first grade three months, during two of which he shall have lost no marks," provided he was serving his first term in the Reformatory for an offence for which he might be held "for not more than two years." An inmate serving a term for an offence for which he might be held more than two years had to "serve in the first grade six months, during three of the last four of which he shall have lost no marks." An inmate transferred from the State Prison could apply "one month before the expiration of two-thirds of his minimum sentence," if at the end of that period he had served two and one-half years upon his sentence.⁶ Under this practice, in the case of all but the few men who had been transferred from the State Prison to the Reformatory, determination of the time when an inmate might apply for release on parole was largely within the power of the Superintendent of the Reformatory, and intimately bound up with the grade and mark system. There was no uniformity as to the date when men under various sentences would be considered by the board for release on parole. Under the system adopted in September 1917, and continued in

³ These percentages are based on 483 men, as 27 had not been paroled, but were compelled to spend their full sentences in the institution.

⁴ P. 8.

⁵ Although new rules became operative in 1917, they could not be made retroactive; hence they applied only to men admitted to the institution after their adoption.

⁶ Rules adopted in September 1914, on file in the office of the parole board (typewritten).

force (with slight modifications in the time-schedule) since then, all inmates on a one-year indeterminate sentence are eligible to parole in nine⁷ months; those on a two-year indeterminate sentence in twelve months; those on a five-year indeterminate sentence in fourteen months; those on any definite sentence at the expiration of one-half of the period.

The fact that a large percentage of our men were released under the 1914 rules probably accounts for our finding that, though, since 1917, a prisoner on a five-year term cannot ordinarily be released before serving at least fifteen months, 98 of the 327 men who had received five-year indeterminate sentences (29.9%) left the institution after serving but twelve months; 24 (7.3%) were released after periods of incarceration ranging from seven to eleven months inclusive; and 32 (9.8%) after a period of thirteen months. The passage to the first grade and absence of loss of marks, which under the 1914 rules were a prerequisite to a hearing by the parole board and release on parole one month thereafter, could in many cases be achieved in from six months to a year, the exact period depending upon individual effort. Under the new practice, however, *all* inmates with a similar sentence are entitled to apply for a hearing at the same stated time, although neither the hearing nor release on parole is necessarily granted at that time.

Such early release on parole as that noted in a good percentage of our cases need not necessarily be an unmitigated evil, of course. If the parole work in any place happens to be distinctly better than its institutional work, it may be the part of wisdom to reduce the period of imprisonment. On the other hand, such practice must take into account the time necessary for the accomplishment of the purposes which the institution is designed to carry out.⁸

3. *Conduct of Parolees*

Of 474 parolees,⁹ 203 (43%) either had their permits to be at liberty revoked because of violation of the conditions of parole, or were resentenced to the Reformatory because of new crimes. There were 329 such revocations or

⁷ They were eligible for a *hearing* before the parole board one month earlier. The rules prescribe the time-schedule for applications for a hearing rather than the time when prisoners are eligible for release on parole. However, the practice has always been, we are informed by the chairman of the parole board, to release inmates about a month after the permit to be at liberty has been issued. This is indicated, also, by the following paragraph from the 1917 rules: "If he was transferred from the State Prison he may make an application one month before the expiration of two-thirds of his minimum sentence, if at the end of said period he will have served two and a half years on his sentence" (rules on file in the office of the parole board; typewritten). The 1920 rules, in force in 1928-9, have a similar provision.

⁸ See, for example, p. 161, where the time necessary to learn trades is discussed, and pp. 197-199, where the actual results of trade instruction are analysed.

⁹ Excluding 9 men who were paroled, but who did not actually have a parole period because they were retaken on old warrants by other authorities, or served a "revoke" at the Reformatory on a prior sentence.

resences, some of the men having had their permits to be at liberty revoked more than once.

One hundred and twenty-five (44.6%) of the revocations followed a charge of crime by the police, 70 (25%) occurred because of the sentence of parolees to other institutions,¹⁰ and 85 (30.4%) because of other serious violations of parole rules.

Of the 329 revocations, 198 (60.2%) were revocations of permits for which the men were returned to the Reformatory; 82 (24.8%) were revocations for which, because of withdrawal of warrants,¹¹ the men were not returned to the Reformatory; and 49 (15%) were new sentences to the institution.

Of the 203 men whose permits were revoked or who were sentenced while on parole for a new offence, 46 (22.7%) were not returned to the Reformatory, warrants having been withdrawn in 41 cases, 1 of the men having died, and 4 having been committed to the State Prison. The balance of 157 parole violators were returned to the Reformatory one or more times as follows: 96 (61%) once; 40 (25.5%) twice; 13 (8.3%) three times; 7 four times; and 1 five times.

Among the 271 men whose sentences were not revoked or who were not returned to the Reformatory,¹² some had been arrested and sentenced to institutions other than the Reformatory, others had been dishonourably discharged from either the army or the navy during their parole period, and still others had disappeared and could not be located. Analysing the misconduct (known to the parole officers) of the 271 men not returned to the Reformatory, we find that 20 (7.4%) had been arrested or were wanted on a warrant issued by the police; 14 (5.2%) had been arrested and sentenced to other institutions; 3 (1.1%) had been dishonourably discharged or had deserted from the army or the navy; 22 (8.1%) failed to make their whereabouts known (a violation of a parole condition), but their permits to be at liberty had never been officially revoked. Thus there were known to the parole officials 59 men who grossly misbehaved, in addition to the 203 men who either had their permits revoked

¹⁰ The parolee was usually allowed to serve his new sentence in the other institution, and after its completion was returned to the Massachusetts Reformatory to serve the remainder of his original sentence.

¹¹ The 71 cases in which, though there was a revocation of the parole permit, the parolee was not returned to the Reformatory because the warrant was withdrawn, may be thus analysed: 25 (35.2%) received a new sentence; 23 (32.4%) disappeared and could not be located; 2 were returned to the custody of the army; 1 "made good in the Army"; 6 returned after a short disappearance; 1 was not returned to the Reformatory at the request of a naval prison; the cases of 4 were in court nol. prossed or they were found to be not guilty of the new charges against them; 2 were not returned to the Reformatory because subsequent to the issuance of the revocation warrant their behaviour record was good; 4 had enlisted in the army; in the case of 2 political influence seems to have prevented their return to the Reformatory; and in the case of 1 the intervention of a social welfare agency prevented it.

¹² Of the 510 men, 36 had no parole period and served their entire sentence in the Reformatory. Of the remaining 474, 203 were revoked or resented, though 46 of these did not actually return to the Reformatory for the reasons given above. Thus 271 had not been revoked or resented to the Reformatory.

or had been resentenced to the Reformatory, making a grand total of 262 (55.3% of the 474 parolees) who were officially known to have committed serious breaches of parole conditions, including the commission of new crimes.¹³

This 55.3% does not cover other misconduct committed by 25 parolees for which their permits to be at liberty might have been revoked had the misconduct been known to the parole officers.¹⁴

Violations are more numerous within a short period after the men regain their liberty than thereafter. Thus 8.3% of the revocations occurred within one month after parole was granted; 8.3% within two months; 9.7% within three months; 8.3% within four months; 6.4% within five months; 5% within six months; 5.3% within seven months; 3.9% within eight months; 2.5% within nine months; and so forth. Forty-one per cent of the total revocations occurred within five months after the men were released from the reformatory.¹⁵

4. Military or Naval Service of Parolees

One hundred and sixty of our parolees (33.8%) served in the army or navy during their parole period (having obviously failed to disclose their criminal records). Of the 114 about whom information as to the nature of the discharge certificate was available, 77 were honourably discharged, 24 dishonourably, and 13 more were listed as deserters, though not dishonourably discharged. The remainder either died in the service, or the nature of their discharge is unknown.¹⁶

5. Industrial History of Parolees

Item 3 of the factors that "count toward a parole" which are set forth in the official rules of the Board of Parole and in the manual given Reformatory inmates contains the following statement of policy: "Ordinarily a man will not be released upon parole until suitable employment can be found for him to go to upon his release." Moreover, the prospective employer of a parolee is supposed to certify that he will employ him, to "state definitely the kind of work he (the parolee) will do" and the wages he will receive, and to notify the Deputy Commissioner in charge of parole supervision as soon as the employer

¹³ No tabulation has been made of petty violations of parole rules. An analysis of the records indicates clearly, however, that practically all of the men violated some rule or other, particularly those concerning reporting regularly and not changing places of employment or residence without permission.

¹⁴ These violations were discovered by us. Their number and particularly their nature indicate the relative superficiality of existing follow-up studies purporting to evaluate "successes" and "failures" either on parole or thereafter. Without a painstaking search for serious violations of parole rules or offences against the law *not officially discovered* such studies are of less than no value, for they may spread erroneous conclusions based on incomplete facts.

¹⁵ In this tabulation the length of time from parole to violation of parole is counted from date of parole to date of arrest on warrant for violating parole.

¹⁶ In addition to the 160, there were 7 who possibly were in the service and 22 about whom we have no definite knowledge as to whether or not they served in the army or navy.

learns of the intentions of the parolee to leave his employment.¹⁷ Furthermore, it is a fundamental of good parole work that the parole officer should aid his charge in the matter of finding employment or at least approve of the job secured by the parolee, his relatives or friends.¹⁸ What are the facts and figures in this connexion regarding our group of 474 parolees?

Four hundred and fifty-two (95.5%) of the men paroled secured a job prior to their release from the Reformatory; 16 (3.4%) were immediately inducted into military service; the others did no work for various reasons, such as illness and commitment to other penal institutions. In 128 of the 452 cases it is unknown by whom the job for the prospective parolee was secured. In 92 (28.4%) of the remaining 324 cases the job was obtained by the parolee himself; in 171 cases (53%) by his family; in 6 (1.8%) by an official of the Reformatory; in 5 (1.5%) by some politician; in 2 (.6%) by a minister; in 4 (1.2%) by friends; in one case each by a former employer, a lawyer, a probation officer, and a prison physician. *In only 40 cases (12.3%) was the employment awaiting the inmate upon his release on parole secured by parole agents.*

The policy of the supervisory branch of parole work as practised in Massachusetts is "to depend on the parolee or his family to provide a job for the released man. If none of his friends or family are ready with a position which is satisfactory to the deputy commissioner [charged with parole supervision], then it is the duty of the parole agent to secure work, if possible. The fact that the relatives or friends of the paroled man procure the position is no reflection upon the parole officials."¹⁹ While the last statement is true, it is a serious question whether the parole authorities should not modify their policy to include an active program of placement of ex-prisoners in the industries. It is well known that such adjustment in the community presents the most difficult task, in the light of the strong prejudice existing against employing ex-prisoners. Moreover, the young men whose careers we are studying have always found it difficult to obtain employment, and their industrial history is characterized by lack of planfulness in the matter of vocation. Unquestionably one of the strongest guarantees of proper conduct on the part of an ex-prisoner is to aid him in securing a job suitable to his capacities and interests.²⁰ This important fact was noted as a fundamental of good parole work by the Committee on Probation and Parole of the American Prison Association.²¹ Moreover, it is important that the ex-prisoner retain his first job for a reasonable period following his release

¹⁷ Form 50 of the Massachusetts Department of Correction.

¹⁸ Since 1919 the rule has been in force that the parole agent must visit the inmate prior to parole and ascertain where he is to work.

¹⁹ Remarks made to the writers by Commissioner of Correction Bates upon reading the above.

²⁰ See Chapter IV, section 9, pp. 80-83.

²¹ *American Prison Association Proceedings, 1920*, pp. 52-3: "2. The providing of suitable work which the individual can do and likes to do. . . . 4. Continued industrial opportunities, to make the individual more and more self-dependent, and therefore to bring about more complete adjustment in the community."

from the Reformatory. Otherwise he is likely again to lapse into the habit of abandoning effort at the slightest real or imaginary obstacle, and the required condition precedent to release on parole—the securing of employment—may readily deteriorate into that highly objectionable observance of the letter rather than the spirit of the law which so often is found in the administration of criminal justice. How long did our men hold these first jobs, the securing of which was an indispensable prerequisite to their release on parole?

Not counting 48 cases in which this fact was unknown, we find that 53 (13.2%) did not even take the job they were supposed to have; 26 (6.4%) held such a job less than one week; 41 (10.2%) held it one week; 40 (9.9%) two weeks; 18 (4.5%) three weeks; 60 (14.8%) one month; 52 (12.8%) two months; 32 (7.9%) three months; 18 (4.5%) four months; 18 (4.5%) five months; 23 (5.7%) from six to nine months; 13 (3.2%) from nine to twelve months; and the remaining 10 (2.4%) for periods ranging from one to three years. *Fifty-nine per cent of the parolees held their first job not at all or for periods of one month or less. The average time of holding the first job on parole was but 2.46 months (A. D., 7.38).* The high A. D. indicates a wide variation in length of holding the first job.

Of course abandonment of the first job may in many cases not have been the fault of the parolee. Sometimes employers agree to give jobs to ex-prisoners only to aid them in obtaining the coveted release from the Reformatory on parole, and soon after this is accomplished, the men are discharged. It was possible to obtain the reasons why the parolee left his first job in a sufficient number of cases (310)²² to render the results fairly reliable. The reasons for leaving the first parole jobs were as follows: 70 (22.7%) left voluntarily, because the family moved or because they preferred another job; 70 (22.6%) were "laid off," or had to leave because the job was temporary; 37 (11.9%) entered the military service; 30 (9.7%) left because they were "wanted" by the police or arrested; 27 (8.7%) left because of illness or injury; 26 (8.4%) left of their own accord without giving any reasons; 17 (5.4%) left since, for various special causes (such as "work too hard," night work, etc.), they "did not like the job"; 12 (3.8%) were discharged because unsatisfactory; 13 (4.2%) had no job at all, and only 8 (2.6%) kept their first job throughout the parole period. *Thus a considerable number of the men left the first job of their own accord, without assigning particularly good reasons.*

Lest it be inferred that the industrial instability of the parolees is limited to their first parole jobs, which might, after all, have been given up largely for legitimate reasons, and that the foregoing facts would not exist in connexion with subsequent jobs held by the men while on parole, the following table is presented:

²² This item was unknown in 164 cases, and it must be recalled that 36 more men were not paroled.

TABLE 13

REASONS FOR LEAVING FIRST PAROLE JOBS (310) AND ALL JOBS (1,096) HELD DURING ENTIRE PAROLE PERIOD

(Percentages)

<i>Reasons</i>	<i>First Job</i>	<i>All Jobs</i>
1. Left voluntarily, because family moved or they preferred another job.	22.7	16.9
2. "Laid off," or had to leave because job was temporary.	22.6	27.2
3. Entered the military service.	11.9	10.0
4. Arrested by police, "wanted," or had parole permits revoked.	9.7	13.6
5. Ill or injured.	8.7	8.5
6. Left of own accord without giving good reasons.	8.4	8.0
7. Left because they "did not like the job," for various special reasons.	5.4	8.5
8. Left or were discharged for other reasons, or had no job.	10.6	7.3
Total.	100.0	100.0

It will be seen that with some exceptions essentially the same proportions of first jobs and all parole jobs were left for the various reasons. An appreciably greater percentage of first jobs than of all jobs were abandoned because the families of the men moved or because the parolees preferred other jobs, and an appreciably higher percentage of all jobs than of first jobs were terminated because of conflict of the parolees with the law or because the men were "laid off." Hence, both as to all jobs held and as to the first parole job, from a fourth to a third of the positions involved, to be conservative (items 4, 6, and 7), seem to have been left for reasons which indicate that the parolees abandoned their employment at the slightest occasion or provocation, or for reasons apparently more the fault of the workmen than of the employers.

As to the *longest* time that the parolees held their jobs during the parole period, it is found that of the 323 persons regarding whom this information was obtainable, 29 (9%) either did not work at all or held no job more than one month; 75 (23.2%) retained one job at longest for from one to three months; 72 (22.3%) from four to six months; 71 (22%) from seven to nine months; 30 (9.3%) from ten to twelve months; and 45 (14.2%) for over a year. *The average time during which a job was held longest on parole was 9.2 months* (A. D., 4.8). Over 50% of the men held one job during parole *at longest* for a period of but six months or less, while, as we saw, almost 60% kept their first parole job for a period of one month or less.

A comparison between the longest time during which a job had been held in the pre-Reformatory period and in the parole period was possible in 294 cases.²³ In 178 cases (60.5%) the longest period during which a parole job was held was briefer by three or more months than the longest period during which a pre-Reformatory job was held; in 81 cases (27.5%) the longest periods for both the pre-Reformatory and parole jobs were within three months of the same length of time; and in only 35 (12%) was the longest period for which parole jobs were held greater (by three or more months) than the longest period for which pre-Reformatory jobs were held.

One hundred and four (25.2% of the 414 parolees whose industrial history was known) held each of their parole jobs on an average of from one to two months; 87 (21%) kept them on an average of from two to three months; 63 (15.2%) from three to four months; 67 (16.2%) from four to six months; 32 (7.8%) from six to twelve months; and only 9 (2.1%) for longer than twelve months. Fifty-two (12.5%) held their jobs on an average of less than one month. *The average time in which the entire 414 men held parole jobs was 3.1 months* (A. D., 1.7). Factory workers in Massachusetts, in 1927, had held their most recent jobs for the following periods: less than one year, 15.7%; one to five years, 38.8%; five years and over, 45.5%.²⁴ It will be seen from these comparative figures that *neither in the pre-Reformatory period nor in the parole period were our young offenders employed anywhere near as continuously as the general Massachusetts industrial population*. It is probable, of course, that the relative youthfulness of our group had something to do with this. But after due allowance has been made for the age factor, there is still sufficient evidence that the Reformatory inmates group are characterized by industrial instability.

In 298 instances it was possible to obtain reliable figures as to the earnings of the men.²⁵ The *highest* wage received during the parole period by 11 (3.7%) of the 298 men was from \$5 to \$10 a week; by 53 (17.8%), \$10 to \$15; by 97 (32.5%), \$15 to \$20; by 56 (18.7%), \$20 to \$25; by 39 (13.1%), \$30 to \$35; by 19 (6.4%) \$35 to \$40; and by 23 (7.8%), \$40 or over. In other words, during the war period of tremendous industrial expansion and abnormally high demand for labour,

²³ As 60% of the men were twenty or under on their admission to the Reformatory, and as a large percentage of the men began to work at fourteen, the pre-Reformatory employment period ranged from six to eight or more years. The parole period, on the other hand, was, roughly, half that length. This difference in time-spans is involved in the above comparison, and doubtless had some effect on the figures, but does not wholly invalidate them.

²⁴ *Factory Work Forces Classified according to Length of Service*, Metropolitan Life Insurance Co., 1928.

²⁵ In considering the above figures it must be borne in mind that the comparatively high wages during this period are partially accounted for by the war. For example, a man working in the American Locomotive plant (war contract) was paid from \$50 to \$60 a week. The war must also be taken into account as making still more remarkable the high occupational turnover of our group.

accompanied by large wages, 73% of the 298 men regarding whom reliable information could be obtained on this point earned less than \$25 a week as their maximum legitimate income.

6. *Inadequacy of Parole Supervision*

One of the deplorable practices occasionally found, not only in penal treatment, but in other branches of private and official social work is that of preempting the name of some new "reform" while at the same time retaining many of the worst features of the old regime which necessitated that reform. A number of examples might be cited in the field of criminology and penology; but the point need here be made only regarding parole. To speak of "parole" without providing for supervision of parolees by persons trained in the work is to foist a counterfeit device upon a gullible or uninterested public. Yet, although forty-six states make legal provision for the "parole" of prisoners, only a comparatively small number of them also provide for the supervision of these parolees during their conditional liberation.²⁶ "Parole" in many states can thus be little more than an additional device enabling experienced criminals to serve shorter sentences by manipulation of the machinery of criminal justice.

Some seventeen states provide by statute for the employment of parole officers for supervisory work,²⁷ but even in those states statutory provision for supervisory work is one thing and the quality of actual supervision another. The qualifications of the personnel for the work, their case-load, the technique employed by them, and their conception of the nature and aim of parole supervision²⁸ are some of the factors that determine its true quality. A scientific analysis of some of these factors is not always feasible, for they embrace certain imponderables. It has, however, been possible to obtain objective data regarding the number and frequency of parole visits in the case of the young men whose careers we are studying. This analysis throws some light on the adequacy of parole supervision as actually practised in Massachusetts during the years when our group of Reformatory graduates were conditionally liberated.

To appreciate the full significance of the following figures it is necessary to bear in mind a number of the regulations adopted by the Massachusetts Department of Correction (parole supervision branch) with reference to the duties of parole officers or "agents." The basic ones have already been mentioned in describing the general system of parole in Massachusetts.²⁹ In addition, the following policies were in force when the young men involved in this study were on parole:

²⁶ Clair Wilcox, *The Parole of Adults from State Penal Institutions in Pennsylvania and in other Commonwealths* (Philadelphia, 1927), p. 124.

²⁷ *Ibid.*, p. 125.

²⁸ Such as the contrast between merely formal supervision or a "reporting system," and constructive friendly guidance.

²⁹ See pp. 48-50.

1. The parole officer is supposed to keep in touch with the family after the parolee's permit to be at large has been revoked and until he is actually returned to the Reformatory; and it is his responsibility to see that he is returned if possible.

2. The parole officer is not supposed to visit the parolee while the latter is in a house of correction, as he is then under county, rather than state, jurisdiction. Neither is he expected to visit him in state prison [for the probable reason that by his reconviction of a crime he proves a hopeless or not promising case].

3. The officer is not required to visit a parolee when the latter is in a hospital for mental or physical illness, but is supposed to inquire as to how he is getting along from time to time and when he is coming out. If the case becomes more than a temporary hospitalization and is deemed permanent by the physicians, the parole officer is no longer supposed to keep in touch with his charge.

4. The officer is expected to keep in contact with the parolee, even after the latter is excused from reporting, until the expiration of the parole period. He may, however, visit such a parolee less frequently than the required once a month if he considers this safe.

5. Where a parolee leaves the state with permission, various agencies, such as the Salvation Army, are presumed to look after him, and the parole officer does not therefore follow up such a man unless he happens to visit the vicinity of the parolee. Where a parolee leaves the state without permission, the parole officer is supposed to try to locate his man, and having located him to report to the Board of Parole, they in turn deciding whether or not to revoke his permit and bring him back.

6. During the war period men who enlisted or were drafted into the army or navy were excused from further reporting. "If a man was honorably discharged from the service he was to be occasionally visited by the parole officer, but in the case of anyone having been dishonorably discharged from the service they should be brought to the attention of the Board of Parole by the agent with a recommendation that they be revoked and returned."³⁰

These policies and rules should be borne in mind in interpreting the table at the top of page 176.

The theoretical length of supervision is the difference between the maximum limit of the sentence and the time actually served in the Reformatory. The findings as to the actual length of supervision are based on a painstaking investigation and analysis of the "parole slips" filed by the parole agents in the Department of Correction dossiers of the various offenders. These slips record the actual contacts between parole agents and their parolees.

³⁰ Letter from the Deputy Commissioner in charge of parole supervision, in response to our queries regarding certain regulations in force during the years when most of our group were on parole, 1917 to 1922.

TABLE 14

THEORETICAL AND ACTUAL PERIODS OF PAROLE SUPERVISION OF 474 PAROLES

Period	Theoretical		Actual	
	No.	Per cent	No.	Per cent
None.....	...	.....	54	11.4
Nine months or less.....	53	11.2	159	33.5
Ten to twenty months.....	45	9.5	93	19.6
Twenty to thirty months.....	18	3.7	30	6.4
Thirty to forty months.....	60	12.7	42	8.8
Forty to fifty months.....	216	45.7	65	13.8
Fifty or more months.....	82	17.2	31	6.5
Total.....	474	100.0	474	100.0

It will be seen from the table that *the length of supervision actually given was much less than the theoretical parole period*. While the average theoretical period of parole was 39.8 months (A. D., 14.4), the average actual length of supervision (as judged by recorded contacts between parolee and parole officer³¹) was only 18 months (A. D., 15.6). In 233 cases (49.2%) actual supervi-

³¹ In tabulating the incompleteness of parole supervision the time figured was from the date of parole to the date of the final report of either the parolee or the agent. The theoretical parole period was figured from the date of parole to the date of expiration of the sentence where there was only one parole period; from the date of parole to the date of "revoke" to the Reformatory if there was more than one parole period; and, on the latest parole, from the date of parole to the expiration of parole.

In calculating the actual number of months under parole supervision, we have figured from the date of parole to the date of expiration, but *subtracted* the number of months involved in the following periods:

1. Period extending from admission into the army or navy to the end of parole unless the parole officer recommenced visiting after the parolee's return from the army or navy or unless the parole officer was not aware that the ex-prisoner was in the service. In a few cases in which there was a conflict of reports as to army or navy service and there was no verification of such service obtainable, the period in which the service occurred was eliminated in figuring the length of time of parole supervision (providing that there was more than one parole period on which to base an estimate of the extent of supervision).
2. Time spent out of the state; i.e., cases in which the parolee was permitted to go out of the state, or was out of the state apparently without formal permission, or had disappeared, but had not been "revoked" to the Reformatory, or cases in which the parolee moved out of the state with his family and was not revoked for it.
3. Time spent in a foreign country.
4. Time spent in the Reformatory on revoked terms or new "numbers" (sentences).
5. Time spent in state prison.
6. Time spent in a hospital if treatment was to be permanent, such as confinement for insanity.
7. Time spent in a house of correction or similar institution, except when such incarceration was unknown to the parole officer.
8. The time following the parolee's death to the formal end of his parole period, in instances in which the parolee died during parole.

The high A. D. accompanying the average length of actual supervision indicates considerable variability.

sion was less by from two to forty-eight months than theoretical supervision. In 76 of these cases (32.6%) it was incomplete by over thirty months.

The known reasons for this discrepancy between the theoretical and the actual contacts between parole agents and parolees are as follows: in 19 cases (8.2%) the parolees reported to the agent in writing, but were in other states or in a foreign country without actual supervision; in 53 (22.8%) the parolees disappeared; in 43 (18.4%) the parolees were excused from reporting, because of honourable discharge from the army or navy; in 14 (6%) they were excused by reason of good behaviour;³² 60 (25.8%) of the cases were "dropped";³³ and in 44 cases (18.8%) the men in the army or navy were not followed up by the parole officers after their discharge from the military service.

While the foregoing analysis indicates that in many cases the incompleteness of parole supervision was not due to the fault of the parole agents, still the record discloses a carelessness in the control of parolees that is inconsistent with good parole work.

The parole agents made a total of 4,120 visits in connexion with our young men, 533 (12.9%) of the visits being to the parolees themselves, 2,202 (53.5%) to employers, relatives, or other interested persons, and 1,385 (33.6%) "visits" where it is highly probable that no one was seen.³⁴ *This is an average of 5.7*

³² We are informed that while our men were on parole, it was the practice of the Board of Parole to excuse from reporting those parolees who seemed to give promise of reform. At present, however, a parolee is rarely excused from reporting, regardless of his good conduct.

³³ "Dropped" cases include those in which a parolee's migration to a foreign country was known to the parole officer; cases in which a man failed to report, but his permit was for some reason not revoked; cases in which a man went out of the state and failed to report; cases in which he stopped reporting and the agent stopped visiting, but the parolee had not been officially excused from reporting.

³⁴ During the period when our men were on parole, parole agents rendered brief reports of parole visits by filling in visit slips, which are filed in the dossiers of the men in the Department of Correction. In the 1,385 cases mentioned, the slips did not indicate that any person was seen on the visits, it frequently happening that when the parole agent calls, no one is at home.

Because of the peculiar status of parole supervision due to the exigencies of the war period, we have been forced to use two methods of interpreting supervision during parole of men who served in the army, navy, or merchant marine:

1. Proceeding on the principle that the parole officers were not absolutely required to make visits after men entered the service and after discharge therefrom, we have figured the period of parole supervision as from date of parole to date of enlistment in cases in which it was clear that there was no contact between parole officer and the parolee or members of his family during or after the army period.

2. Despite the ruling we found a group of cases in which, though the parolee enlisted, the parole officer for some reason or other continued to keep in touch with his family or resumed his supervision after the parolee's discharge from service, even though this was not absolutely required.

The cases falling into group 1 were therefore treated normally, as all facts conform to the rules. But the cases falling in group 2 were treated separately, because they constitute exceptions to the rule and because the number of visits made by the parole officer probably depended on his own time and interest rather than on the rule of the parole department in regard to visits. This group was therefore tabulated separately and only on the basis of the number of visits to the parolee himself in the period from the time of his parole to the time of enlistment.

visits to a parolee, not counting the 1,385 visits where no person was probably seen, or 8.6 visits if these are included.

Analysing the cases of 401 parolees who were out on parole one or more months, to see how many visits were made to the parolees themselves, it is found that in 215 instances (53.5%) *the parolee himself was not once personally visited in the entire parole period.*³⁵ *The parolee was visited and actually seen on an average of once a month in but three cases. In all the remaining cases the parolee was visited and seen less frequently.* Thus in 50 instances (12.4%) there was one visit and personal contact in an average of from six weeks to six months; in 62 cases (15.5%) in from six to twelve months; in 44 cases (10.8%) in from twelve to eighteen months; and in the remaining 27 cases (7%) in periods ranging from eighteen to one hundred months.

In order to gauge the parole agents' efforts further, we may analyse these same 401 cases for visits to and actual interviews with the parolee *or* his relatives or others interested in him. It is found that in 27 cases³⁶ (6.3%) there were no personal interviews recorded at all, either with the parolees or with families, employers, or others; in 55 cases (13.8%) there were visits in the ordinarily required time of once a month, and in the remaining 319 (79.9%) the contacts were less frequent than the required once a month. Thus in 185 cases (46.3%) one contact was made in from six weeks to three months; in 38 cases (9.5%) in from three to six months; in 26 cases (6.5%) in from six to twelve months; in 11 cases (2.8%) in from twelve to eighteen months; and in 8 cases (2%) in from eighteen to fifty-two months. In 52 cases (12.8%) the average frequency of personal contacts was not calculable.

The foregoing analysis shows that so far as concerns contacts with the parolee himself on the initiative of the parole agent, parole supervision did not in actual practice begin to approach the standard set for it.³⁷ So far as concerns visits to and interviews with relatives, employers, and others in addition to parolees, however, parole supervision more nearly approaches this standard, but is yet far below it.

Many events of significance in the lives and conduct of our parolees may of course have occurred during the months of incomplete or broken supervision, but we need only mention the most important discovered. Fifty-one parolees were arrested without the knowledge of parole agents; five were dishonourably discharged or had deserted from the army or navy and in addition had a crimi-

³⁵ From this figure are excluded 54 men who were out of the state, 18 who were on parole for less than one month, and one case as to which supervision could not be calculated. Recent analysis of the work of parole agents discloses some improvement over the conditions noted above.

³⁶ In the 27 cases in which no visits at all were made, either to the parolee or his relatives, the men had been on parole for periods ranging from one to fifty-three months, 17 of them for from three to fifty-three months.

³⁷ See p. 50, where it was said that this standard was set up by the parole authorities. See also p. 175, No. 4, where it is said that the parole agent "may, however, visit such a parolee less frequently than the required once a month if he considers this safe." Such an opening can easily

nal record; thirty-one men were dishonourably discharged or had deserted. In addition, fifteen parolees told parole agents that they had enlisted or were about to enlist in the army or navy, and were on the strength of that excused from reporting. No further parole supervision was given; yet it was later found by us, through the use of finger-prints, that these men had not served in either the army or the navy.³⁸

7. Summary

The following is a résumé of the points of importance in the foregoing analysis of parole:

(1) About half the men were released from the Reformatory on parole in 1917 or 1918, 16% more in 1919 and 1920. The years of release for the entire group ranged from 1911 to 1922, with but small percentages in either of those years.

(2) Although, under later rules, all inmates are entitled to a parole hearing

deteriorate into a justification for an *unsafe* practice. How is the parole agent to decide whether it is "safe" to visit the parolee less frequently than once a month? The standard period is in itself much too low, when it is remembered that continual, personal contact and interest is what the parolee most frequently needs.

³⁸ The foregoing facts and figures paint an uncomplimentary picture of Massachusetts parole work, at least as it was several years ago. In considering the findings, however, it must be borne in mind that the case-load of parole agents during the years when our young men were on parole varied from about 120 to 250 cases per officer, depending on the size and density of the supervisory area of the agent. It was obviously impossible to do effective parole work with such a burden. The opinion of social workers and experienced penologists is that one parole or probation officer should be responsible for not more than fifty or sixty cases at a time. Moreover, it must not be forgotten that the hectic period of the war witnessed the letting down of the standard of much public and private social work in the preoccupation of people with the problems of the war.

There seems to be some appreciable improvement in contemporary parole work in Massachusetts, though the true nature and extent of such improvement can only be determined by as thoroughgoing an analysis of the present work as we made of the prior. One may deduce that the work has improved by a number of important changes and new departures made since our men were on parole. Thus the Deputy Commissioner of Correction in charge of parole supervision has devised an elaborate card-index system whereby he can tell the extent and regularity with which a man is being supervised by the parole agent. Being himself a former social worker, he is also making an effort, we are informed, to encourage the use of social agency facilities by the parole officers, is encouraging them to study carefully the case records of the men in their charge, and is in general attempting to improve the quality of parole supervision. The parole office is also concerned at present with the important problem of finding jobs for parolees and is trying to discover some solution. An attempt is also being made to maintain contacts with parolees who have left the state, through correspondence with local probation officers, who have been asked to supervise Massachusetts parolees. The practice has been begun of sending to the parents copies of parole conditions to be observed by the parolee, so that all concerned may know exactly what the rules are. A provision has recently been added to the parole conditions prohibiting parolees from associating with other ex-prisoners who are on parole.

As opposed to this series of attempts to improve parole work, however, it must be mentioned that the case-load of officers is today practically as great as it was in the years when our group was on parole. Furthermore, no changes have been made in the qualifications and training requirements for parole officers, and the present force of agents is practically the same as that in the past.

after a certain fraction of their sentences have been served, the time for such hearing and for release from the institution on parole depended, when most of our men were in the Reformatory, on their having served a certain period in the "first grade" and having lost no "marks" during a fraction thereof. Hence, though today release on parole in the case of those who received five-year indeterminate sentences ordinarily occurs after they have served about fifteen months, only a very small percentage of such men in our group had to serve that long. Most of them were released after briefer periods of service in the Reformatory.

(3) Almost half the parolees had their permits to be at liberty revoked because of violation of parole conditions or resentence to the Reformatory for new crimes. Some seventy per cent of the revocations were ordered because of convictions for new crimes. Three-fourths of the 203 parolees whose permits were revoked were returned to the Reformatory one or more times to serve part or all of the balance of their terms. In addition to these, 68 parolees committed offences or were guilty of other grave violation of parole conditions, but were for various reasons not returned to the institution. This makes a total of 262 parolees (55.3%) who were officially known to have committed serious breaches of parole conditions, including new crimes. In addition, twenty-five parolees were guilty of serious misconduct which was undiscovered by the parole authorities. Violations of parole conditions were generally most frequent within a short time after the prisoners' release on parole.

(4) In four-fifths of the cases, the employment required before a prisoner could be released on parole was secured by the parolee himself or his family; in but twelve per cent by the parole agents.

(5) Sixty per cent of the parolees held the first job for periods of one month or less, if at all. The average time of holding the first job on parole was about two and a half months (A. D., 7.38). At least one-fourth of all jobs of the parole period were abandoned by parolees for reasons not reflecting credit upon them and indicating a practice of leaving employment under slight provocation. Even the jobs held longest during parole were retained for brief periods, the average length being somewhat over nine months (A. D., 4.8). The average time during which the men held jobs in the parole period was slightly over three months. This compares very unfavourably with the employment turn-over of factory workers in Massachusetts. Although industrial opportunities were numerous and wages high, during the war, three-fourths of the men earned less than twenty-five dollars per week as a maximum.

(6) In about half the paroled cases (233), supervision (as indicated by records of contacts between agent and parolee) fell short of the theoretical parole period; in 76 of these cases (33%) it was incomplete by over thirty months. While the average theoretical parole period was forty months, the average actual length of supervision was only eighteen months (A. D., 15.6). There was

an average of 8.6 parole visits per case; but over half the parolees were not once personally seen by the parole agent on his initiative, and in another third the parolees were not visited and seen personally oftener than on an average of once in six or more months. In four-fifths of the cases, the calls on and actual contacts with the family, employers, or the parolee himself fell short of the monthly visit which the parole authorities generally require.

CHAPTER XI

POST-PAROLE HISTORY OF EX-PRISONERS— CRIMINALITY

1. *Introductory Comments*

The preceding chapter was concerned with the conduct of our ex-prisoners while they were under parole supervision. Although this is important, it is not enough. Indeed, standing alone, the parole history of ex-prisoners may even prove to be misleading. In order to gain a true estimate of the proportions of successes and failures among the alumni of the Reformatory and of the parole system it is necessary to study their careers during a reasonable time *beyond* the expiration of parole. The chief weakness of "follow-up" studies hitherto made is that the criteria of success and failure have been confined to the conduct of ex-prisoners during the period of parole oversight.¹ Uncritically, investigators have assumed that the high percentages of parole "successes" claimed in annual reports signify (even if the figures themselves were sound) an equally large percentage of *post-parole* reformations. In this book a careful attempt is made to avoid this pitfall. First, its conclusions are based on a painstaking, far-reaching search for the true post-Reformatory criminal records of our ex-prisoners; secondly, the careers of the former parolees have been examined during a five-year

¹ The Illinois study of parole (*The Workings of the Indeterminate-Sentence Law and the Parole System in Illinois*, by A. A. Bruce, A. J. Harno, E. W. Burgess, and J. Landesco, Chicago, 1928) is open to this criticism. Pp. x, 221-49. "At the time this study was undertaken all the paroled men had been released from confinement . . . for at least two and one-half years, and in a considerable proportion of cases for as many as four or five years. Consequently, more than sufficient time had elapsed to determine their record on parole" (p. 221). While the time period involved was sufficient for parole purposes, the most important thing to discover is not how men do under parole supervision, but how they do for a reasonable period (in our study, five years) *beyond* the expiration of parole. For parole is not an end in itself; and men who do well on parole do not necessarily do well thereafter. Besides, the post-parole period must be of equal length for all offenders involved in a research if a sound basis for comparison of successes and failures is to be had; otherwise, some men have had a greater period of time within which to recidivate than others.

Other studies are weak in the same respect as the Illinois contribution. Thus Gillin, *op. cit.*, p. 634, says that of the prisoners *paroled* from the Elmira Reformatory during the fiscal year ending September 30, 1910, "81.6 per cent were probably reformed." The annual report of the Elmira Reformatory for 1922 "estimates" that of the thirty thousand prisoners who have passed through that institution since its inception, some third may be regarded as failures in the sense of having thereafter come into conflict with the law again (cited by Gillin, p. 635). In such statements and estimates there is the fallacy of assuming, without proof, that behaviour after parole supervision has been removed will be as good as behaviour while on parole. See also the other studies mentioned in note 8, p. 5, which are open to these attacks.

period after the date of expiration of parole. Since a five-year period brings most of our young men beyond the late adolescent years, such a time-span should be sufficient upon which to base a sound judgment about the probable permanence of their reformation. Further, most of the post-war adverse economic conditions that might have handicapped the men during their parole periods (which ended in 1921 and 1922) were probably mitigated by the years 1926 and 1927.

2. *Post-Parole Whereabouts of Ex-Prisoners*

Of genuine interest is an analysis of the whereabouts of the 510 former prisoners at the *end* of the five-year period following their discharge from parole.² After a thorough combing of court records, finger-print files, police-department records, and social-agency reports and after personal investigations we were able to locate most of the men. The whereabouts of 27 (5.3%) were completely undiscoverable, and the location of 20 more (3.9%) was not ascertainable; but their places of residence were known for part of the five-year period.³ Of the remaining 463 (90.8%) whose whereabouts at the end of the five-year period were definitely ascertained, 111 (24%) were in Massachusetts cities other than Boston and environs, 68 (14.6%) were in Boston and vicinity, 81 (17.5%) were in various states other than Massachusetts; 85 (18.4%) were in penal or correctional institutions in different parts of the country, about two-thirds of these being in state prisons, one-third in jails, houses of correction, and state farms; 31 (6.7%) were fugitives from justice (including deserters from the army or navy); 6 (1.3%) were in hospitals for mental diseases; one (.2%) was in a hospital for physical diseases; 6 (1.3%) were in the army or navy; 7 (1.5%) were in various foreign countries; 6 (1.3%) were wandering about the country; 6 (1.3%) were at sea; 55 (11.9%) were deceased.

Of the 55 deaths, 11 occurred while the men were in the Reformatory or after their transfer to some other institution;⁴ 22 men died during the parole period; and 22 died during the five-year post-parole period. The causes of death may be summarized as tuberculosis in 12 cases; pneumonia and influenza in 13; accident (including several deaths in the war and several in connexion with criminal activity) in 12; heart conditions in 5; and various other causes⁵ in the remainder.

An analysis of the length of time that 407 men about whom this fact was known were in the general community (that is, not in penal or non-penal

² See Appendix D for details.

³ In the 20 cases in which whereabouts at the end of the five-year period were unknown, but were known at some time prior to the end of that period, the distribution was as follows: in penal and correctional institutions, 5; in Massachusetts cities, 7; in other states, 6; in foreign countries, 2.

⁴ The high death-rate is largely due to the influenza epidemic of 1918. In 1925, 1926, and 1927 there was not one death in the Reformatory.

⁵ One man was electrocuted.

institutions or in the army or navy) discloses the following facts and figures: 190 (46.7%) were in the community for the entire sixty-month period beyond the end of parole; 72 (17.7%) remained outside of institutions or of the army or navy for from forty-eight to sixty months; 34 (8.3%) for from thirty-six to forty-eight months; 37 (9.1%) for from twenty-four to thirty-six months; 33 (8.1%) for from twelve to twenty-four; 28 (6.9%) for less than twelve months. The remaining 13 (3.2%) were in institutions or in the army throughout the five-year post-parole period. The average length of time spent in the general community (out of the sixty-month post-parole period) by the 407 men as to whom this point was known was 46.5 months (A. D., 15.9).

3. *Nature and Incidence of Criminality*

The criminal activity of 422 of the men was traceable. That of 45 (8.8%) was unknown; two of the men were in mental hospitals throughout the five-year period on non-criminal commitments,⁶ and 41 of the men had died either before the beginning of the five-year post-parole period or before the end of the period and had not up to the time of their death committed offences.⁷

Of the 422 men whose conduct beyond the parole period could be traced, 89 (21.1%) were not known to have committed any offences during the five-year post-parole period; 307 (72.7%) committed offences officially recognized,⁸ and 26 (6.2%) more committed various types of crimes for which they were not arrested. Thus *a total of 333, almost 80% of the 422 men involved, committed offences during the five-year period following the expiration of their parole.*⁹ The estimates met with in almost all of the existing follow-up studies,¹⁰ annual reports of reformatories and prisons, and systematic criminologies, that some seventy-five to eighty per cent of parolees are "successes" on parole and may be presumed to be successes thereafter is so fallacious as to suggest a condition practically the reverse of that reported. The figures of seventy-five and eighty per cent frequently encountered should refer to *failures* rather than successes, if our findings as to one of the better reformatories are to be taken as typical of

⁶ The total number of men who were in mental hospitals for the criminal or non-criminal insane, or who made contacts with psychiatric clinics, during part or all of the five-year post-parole period was 25, distributed as follows: 17 were in mental hospitals, schools for the feeble-minded, or the Massachusetts Department for Defective Delinquents for part of the time; 3 (including 1 transferred from a penal institution to a prison department for the criminal insane) for the entire time; 2 attended a mental clinic; 1 was committed to a mental hospital after expiration of the five-year period; and 2 were in hospitals for treatment of alcoholism or drug addiction. In addition to these 25, 3 men died in state mental hospitals during their parole period.

⁷ While a total of 55 men died, 11 of these are included in the figure of 422 above, because they had committed offences during part of the five-year post-parole period before their death.

⁸ This means not only convictions, but warrants for arrest, and dishonourable discharge from the army or navy, of which latter there were 22.

⁹ See p. 189, where this figure is analysed into its components.

¹⁰ See p. 182.

adult institutions. It seems to us that the significance of this fundamental finding of our investigation can hardly be overestimated. At least it shows that nothing less than a painstaking search for the post-parole histories of ex-prisoners can answer the basic question: What happens to ex-prisoners? For careful and patient inquiry may so modify the results of the ordinary superficial search for criminal records as to prove that the truth in this matter is practically the reverse of what ill-founded impressions, however honest, proclaim it to be.

The 307 men whose criminal conduct was officially recorded committed at least 1,014 known offences during the post-parole period, as follows: there were 936 arrests (92.4% of the 1,014 infractions involved), of which 811 (86.5%) resulted in convictions; 17 warrants for arrest were issued; there were 7 escapes from penal institutions, in which apparently no warrants had been issued; there were 23 dishonourable discharges from the army or navy, of which 12 were due to desertions; and there were 29 more desertions. In addition to the 1,014 offences committed during the five-year post-parole period, there were 49 sentences to penal institutions for offences committed before the technical expiration of the parole period and served for part or all of the *post-parole* period.

The average frequency of known criminal acts of 275 of the 307 men¹¹ who committed officially recorded offences, based on the number of months during which the men were at large in the community, was as follows: fifteen (5.5%) are known to have committed an offence once in three months or less; 40 (14.5%) once in from three to six months; 25 (9.1%) in from six to nine months; 23 (8.4%) in from nine to twelve months; 34 (12.4%) in from twelve to eighteen months; 33 (12%) in from eighteen to twenty-four months; 39 (14.2%) in from twenty-four to thirty-six months; 26 (9.3%) in from thirty-six to sixty months; and 40 (14.6%) were arrested once during the five-year period.

The average frequency with which the men committed officially recognized offences was once in 24.2 months (A. D., 16.8). The high A. D. indicates much variation in frequencies.

Ninety-nine (38%) of the 260 men arrested¹² were arrested only once; 50

¹¹ The offences of 32 of the men were for various reasons (such as their being in penal institutions throughout the post-parole period) incalculable. Where a man was a fugitive from justice and nothing was known about him subsequent to his disappearance, the period of months up to such disappearance was used instead of the entire sixty-month period in computing frequency. Where a man died, but had committed offences up to the time of his death, the period between expiration of parole and death, instead of the sixty-month period, was utilized. If a man had been arrested for only two technical automobile violations, frequency was not calculated.

¹² Forty-seven of the ex-parolees chargeable with criminal conduct during the post-parole period were not included in the above tabulation, because some were in penal institutions throughout the five-year period or during part thereof on sentence imposed during the parole period, or warrants were out for their arrest, or they were dishonourably discharged or had deserted from the army or navy. These 47 cases subtracted from the 307 post-parole offenders gives the above figure of 260.

(19.1%) were arrested twice; 55 (21.1%) three or four times; 14 (5.4%) five or six times; 14 (5.4%) seven or eight times; and the remaining 28 (11%) from nine to twenty-six times.

4. *Judicial Dispositions*

In 27 cases (10.4% of the 260 involved) no sentences were imposed following conviction; in 98 (37.6%) there was one sentence; in 47 (18%) there were two; in 31 (11.9%) three; in 34 (13.1%) from four to six; in 12 (4.6%) from seven to nine; and in the remaining 11 (4.4%) from ten to twenty-six.

An analysis of the dispositions of the 938 arrests during the post-parole period discloses the following facts and figures: There were 811 convictions (89.5%) and 127 other dispositions (10.5%). Of the convictions, 312 (38.4%) were followed by commitments to penal institutions (including one death-penalty); 128 (15.7%) by probation; 214 (26.4%) by fines; 36 (4.4%) by commitments for non-payment of fine; 118 (14.7%) were filed cases; and in three cases the judgment was that restitution be made.

The types of institutions in which 361 sentences were served (including 49 sentences imposed during the parole period and served during part or all of the post-parole period) are as follows: prisons and penitentiaries, 26.3%; reformatories, 15%; jails, houses of correction, state farms, workhouses, 55.4%; mental hospitals for the criminal insane or defective, 3.3%.

The following table indicates the time spent in penal institutions by 187 men (60.9% of the 307 who committed officially recognized crimes), who served 397 prison sentences during the post-parole period (including 36 sentences for non-payment of fine):

TABLE 15
TIME SPENT IN PENAL INSTITUTIONS BY 187 MEN WHO SERVED 397 SENTENCES

<i>Months</i>	<i>Per Cent</i>
Less than 5	18.7
5 to 10	13.9
11 to 15	11.2
16 to 20	7.0
21 to 25	7.0
26 to 30	6.4
31 to 35	7.5
36 to 40	3.7
Over 40	24.6

It will be seen that about half the men spent a period of twenty-one or more months out of the sixty-month post-parole period in penal institutions; about one-fourth served as much as from forty-one months to the full post-parole period, six per cent having been incarcerated during the entire sixty months.

Of the 422 men whose post-parole conduct was known, 44.3% were in penal institutions during part or all of the five-year post-parole period. This high figure indicates conclusively how erroneous is the practice of assuming that only behaviour while on parole is of importance in gauging the reformation of former prisoners.

5. *Seriousness of Offences*

Appendix C contains our grouping of crimes for the purposes of this research, into serious (major) and less serious (minor), together with notes on this classification. Analysing the 1,063 offences committed by the 307 men¹³ from the point of view of that classification, it is found that there were 376 (35.4%) serious (major) and 687 (64.6%) less serious (minor) offences. The *major* offences are analysable into: (1) property crimes, 284 (69.6% of the major offences), of which larceny comprises 214, or 75.5%, and robbery 41, or 14.4%, the remainder being distributed between burglary and embezzlement; (2) sex offences, 11 (2.7%), to which rape contributed 8 and pathological forms of sex expression 3; (3) other serious crimes, 113 (27.7%), of which being a fugitive from justice (or military deserter) constituted 47, homicide 16, and escape or rescue 7, and serious automobile violations 32. The *minor* offences are distributable into: (1) those involving alcohol and habit-forming drugs, 432 (66.1% of the minor group), of which drunkenness comprised 388 (89.8%), violation of liquor laws 32 (7.4%), and possessing or dealing in drugs 12 (2.8%); (2) vagrancy, begging, living on the proceeds of prostitution, 13 (but 1.9% of the minor offences); (3) sex offences, such as adultery, lewd and lascivious cohabitation, fornication, accosting a female, and technical rape, 18 (but 2.8%); (4) offences involving domestic relations, such as non-support, desertion, bastardy, cruelty to children, 35 (5.3%); (5) simple assaults (assault and battery, not including assault with intent to kill, rape, or rob), 34 (5.1%); (6) disturbing the peace ("violating the Lord's Day," profane and indecent language, track-walking, etc.), 42 (6.4%); (7) malicious mischief, 5 (.8%); (8) offences involving technical violation of automobile regulations, 53 (8.1%); (9) other offences, such as peddling without a licence, contempt, violation of police regulations, etc., 23 (3.5%).¹⁴

6. *Criteria of Success and Failure regarding Criminality*

While classification of crimes into serious and less serious and their sub-analysis in the manner indicated above is in itself of value in determining the

¹³ The figures comprise officially recorded offences. Included are cases of issuance of warrants and offences committed during parole for which the sentence was served during the post-parole period; and excluded are offences known to have been committed, but for which the men were never arrested. These two groups are small in number.

¹⁴ By consulting Appendix C the reader can make comparisons between the offences of the pre-Reformatory period, the crimes for which the youths were sentenced to the Reformatory, and those of the post-parole period.

type of offenders we are dealing with, it is indispensable for a further reason. *The chief purpose of thus classifying criminal conduct is the acquisition of a basis for comparing the criminality of our men during the pre-Reformatory, parole, and post-parole periods.* This comparison could not be made on the basis of the offences themselves, as they varied from period to period. Instead, the offences had first to be classified and then the conduct of the men had to be categorized into "success," "partial failure," and "total failure."¹⁵ This was done in accordance with the following definitions:

Success: No police, court, or prison record, except for occasional technical automobile violations;¹⁶ no dishonourable discharge or desertion from the army or navy; no commission of individual criminal acts,¹⁷ even though no arrest or prosecution followed.

Of the 422 men whose post-parole conduct was ascertainable, 89 (21.1%) were in the success category.

Partial failure: Conviction on two minor offences, or arrest for not more than three minor offences. In the case of technical automobile offences or drunkenness as many as five arrests were allowed for the partial-failure class. There was not one case, however, in which assignment to a particular category depended solely upon an automobile or drunkenness record; other types of offences also had been committed. Cases in which there had been arrests for not more than two serious offences not followed by conviction were also considered partial failures; or arrest for one serious offence not followed by conviction and for not

¹⁵ It is self-evident that with reference to people who are *not* criminal or who have not been imprisoned, there are degrees of success or failure in every activity of life. And yet no one has succeeded in setting up definite standards of the "normal man" of twentieth-century America, or of what constitutes success or failure in life. Public opinion is more divided than ever into conflicting camps on these vital issues. Is the bootlegger who prospers and supports his family, contributes to charity, sends his children to college, a good man or a bad one? What is the criterion of economic success in the case of the unskilled worker, who is subject to the vicissitudes of business cycles and seasonal unemployment? Particularly in the field of sex morality are we notoriously caught up in streams and currents of conflicting standards. There is not that comparative simplicity and uniformity of opinion upon "fundamentals" of life and labour that there apparently was in the Puritan era and the Victorian age.

If this be true of humanity in general, our task of judging relative or absolute success and failure in the lives of criminals is even more difficult. We can, however, set up and define as clearly as possible those standards of conduct and duty about which, even in this day of shifting fundamentals and diluted opinions, there is considerable consensus of attitude and belief among social ethicists and social engineers.

¹⁶ These comprise any automobile offences except operating recklessly, under the influence of liquor, to endanger life and safety, or running away after an accident, the exceptions being rated as serious offences.

¹⁷ Any misconduct for which the person might be arrested, including such authenticated offences as "bootlegging," possession of drugs, non-support, adultery, vagrancy, etc., in addition to the more serious offences. It should be mentioned that there were very few men who could not be put into the "success" class solely because the only offences committed by them were petty ones for which they had not been arrested. See Appendix E, which gives details and figures of the components of these judgments of criminal conduct, so that the reader may know exactly on what they are based.

more than two minor offences not followed by conviction,¹⁸ or occasional minor offences for which the violator of the law was neither arrested nor prosecuted (that is, cases of sporadic, rather than continual, misconduct definitely known to have occurred, but as to which no official action was for various reasons taken).

There were 71 (16.8%) in the partial-failure category.

Total failure: Cases in which there had been arrests for three or more serious offences not followed by conviction (there was only one such instance), or arrests for more than three minor offences (except drunkenness) not followed by conviction (actually, there were no such instances); or convictions for one or more serious offences; or convictions for more than five charges of drunkenness (comprising but a few cases); or desertion or dishonourable discharge from the army or navy; or the status of fugitive from justice or being wanted for escape; or the known commission of serious offences, or a continual course of minor offences, for which the men were somehow not arrested or prosecuted.¹⁹

There were 262 (62.1%) in the total-failure category.

On page 184 it was pointed out that 333 ex-prisoners (78.9% of the 422 cases involved) committed offences during the post-parole period. With the definitions of the categories in mind, and by consulting Appendix E, the figure can now be analysed into the components of these categories. Of the 333 men who comprised the post-parole failures, 144 (43.3%) were convicted of one or more serious offences during the post-parole period; 5 (1.5%) were arrested for serious offences, but not convicted; one man was arrested for minor offences but not convicted; 69 (20.7%) were convicted of minor offences. In one instance there were serious offences not officially known; in twenty-five cases (7.5%) there were minor offences not officially known. In 15 cases (4.5%) warrants were outstanding for the commission of serious offences; in 25 (7.5%) a sentence for a serious offence had been imposed during parole and was served for part or all of the post-parole period; in 26 cases (7.8%) there had been conviction

¹⁸ Wherever there was an arrest for not more than two serious offences or for three or more minor offences, without conviction, the case was rated partial failure. While it is true that under the American system a person is presumed to be innocent until he is found guilty, in the case of persons with consistent past criminal records the probabilities of their guilt on the new charge reasonably outweigh the possibilities of their innocence. On the other hand, it would not be fair to place them in the total-failure group, because of the bare possibility of their innocence; for we must take into consideration the fact that the police not infrequently make arrests of persons with prior criminal records on slight provocation or suspicion. However, there was only one case of arrest for minor offence not followed by conviction, and four cases of arrest for serious offences not followed by conviction, as a matter of fact. Every possibility had, of course, to be taken account of in making the categories, even though some possibilities turned out to apply to but few cases.

¹⁹ It will be seen from Appendix E that sentences for offences committed after discharge from the Reformatory but before the expiration of the parole period, and served during part or all of the post-parole period, were also taken into account in determining the post-parole criminal status of the men. These comprised twenty-five cases. If the sentence was for a minor offence, the person was classified as a partial failure; if for a serious offence, as a total failure.

for minor offences, together with the continual commission of other minor offences which were not officially known. In 22 cases (6.6%) there had been dishonourable discharge or desertion from the army or navy. If one combines cases in which the judgment of partial or total failure was based on serious offences officially recorded with those in which the criminal activity was known only to us, then 190 (57.1%) of the men are classifiable as partial or total failures. In 121 cases (36.3%) the judgment of partial or total failure was based on the commission of minor offences, and in 22 instances (6.6%) on dishonourable discharge or desertion from the army or navy.

As has been pointed out, the chief reason for classifying and then categorizing the criminal conduct of our men was to obtain a uniform basis for comparison of their criminality during the three stages of our interest—the pre-Reformatory, parole, and post-parole periods. This comparison is made in the following table:

TABLE 16
COMPARATIVE CRIMINAL-CONDUCT JUDGMENTS
(Percentages)

<i>Judgment</i>	<i>Pre-Reformatory</i> *	<i>Parole</i> †	<i>Post-Parole</i> ‡
Success	6.6	30.4	21.1
Partial Failure . . .	5.7	13.5	16.8
Total Failure . . .	87.7	56.1	62.1

* Based on 510 cases. † Based on 413 cases. ‡ Based on 422 cases.

A number of significant facts emerge from this table:

1. The percentage of total failures in the supervised parole period is measurably less than that of either the post-parole or pre-Reformatory periods.²⁰ This probably reflects the effect of supervision, with the threat of return to the Reformatory for misconduct, and in some instances the influence of the Reformatory. The effect of supervision was probably more potent than the efforts of the Reformatory. This is suggested by the increase in failures during

²⁰ Since the parole period was not of equal length for all the men, and since it was not of the same length as the five-year post-parole period, and the varying pre-Reformatory period, the time element entered to complicate the classification. This factor was taken account of by translating the number of offences into frequencies depending upon the time-span involved. For example, "arrests for not more than three minor offences not followed by conviction" means the same as arrests for minor offences on an average of once in twenty months (obtained by dividing the number of arrests into the sixty-month post-parole period). Hence, in classifying a man's conduct during the parole period, if an arrest for a minor offence occurred on an average of once in twenty months based on the actual length of the ex-prisoner's parole period, he was counted a partial failure as regards parole criminality. In the case of serious offences, however, conviction for one serious offence was deemed enough to place a man in the total-failure class regardless of the time element. The object of using the time element was to differentiate between occasional minor offenders and frequent minor offenders, as opposed to serious offenders. The time factor was similarly applied to the pre-Reformatory period.

the post-parole period, when supervision and the fear of recommitment to the Reformatory had been removed.

2. Associated with the above finding is the fact that during the parole period there were more successes than during either the pre-Reformatory or the post-parole periods; and though there were fewer partial failures during the parole period than thereafter, the difference is slight.

The increase of partial failures during the post-parole period is partly the result of accessions gained from those who had been successes while under parole supervision. To that extent it indicates that even though some parolees relapse from their crime-free conduct during parole, still a fraction of them do not revert to the low level of conduct of their pre-Reformatory life. But most of the defections from the successes of the parole period seem to have become total failures during the post-parole period, rather than partial failures.

3. Finally, the figures indicate that the Reformatory and parole supervision and the passage of time all contributed to the curbing of criminal tendencies, reducing the total failures from seven-eighths to slightly less than two-thirds of the entire group. Nevertheless, it would seem that *the large majority of offenders have apparently shown little benefit from either incarceration or parole supervision*, judging from their post-parole criminal activity.

7. Summary

The following points in the foregoing analysis deserve particular emphasis:

(1) The whereabouts of 91% of our offenders were definitely ascertained at the end of the five-year post-parole period. Almost 60% were at that time resident in various cities, 18% were in penal and correctional institutions throughout the country, 7% were fugitives from justice, 1% were in hospitals for mental diseases, 1% were in the army or navy, 1% were at sea, 12% were deceased, and the remainder were abroad or wandering about the country. (2) Slightly less than half the men resided in the general community (were not in penal institutions or the army or navy) during the entire five-year post-parole period; about one-fourth more were in the community for less than thirty-six months. The average time spent in the community by the 407 men as to whom this point was known was 46.5 months, as compared to the sixty-month post-parole period.

(3) At least 1,014 officially known crimes were committed by the group during the post-parole period. The average frequency of these offences was one in twenty-four months (A. D., 16.8). Almost four-fifths of our group were found to have committed criminal acts during the post-parole period, all but twenty-six of these offenders having been officially recognized. This finding reverses almost in perfect proportion the figures of "success" and "failure" customarily attributed to reformatories and parole offices in researches, annual reports, and texts on criminology.

(4) Nine-tenths of the arrests resulted in convictions. Almost forty per cent of the convictions resulted in sentences to penal institutions, fifteen per cent in probation, the remainder in various other dispositions. Of the 307 offenders who committed officially recognized crimes, 187 (over sixty per cent) served prison terms, the number of such terms being 397. Half the prisoners spent twenty-one or more months in penal institutions, one-fourth from forty-one months to the full sixty-month post-parole period. Six per cent served the entire sixty months.

(5) One-third of the offences committed in the post-parole period were major, two-thirds minor. Among the former, property crimes comprised three-quarters; sex offences constituted only three per cent. Among the minor offences, those involving the use of stimulants and habit-forming drugs (especially the former) comprised two-thirds.

(6) In comparing the criminality of the men during the three stages of our inquiry, it was found: (a) that there were measurably fewer total failures and more successes during the supervised parole period than during either the post-parole or the pre-Reformatory period; (b) that the Reformatory and parole supervision, together with the passage of time, had exerted some influence in curbing the criminal tendencies of our group. The large majority of the men, however, have not abandoned their careers of crime.

CHAPTER XII

POST-PAROLE HISTORY OF EX-PRISONERS— INDUSTRIAL RECORD AND ECONOMIC CONDITION

1. *Introductory Comments*

To obtain a fair estimate of the status of the men who have passed through the Reformatory and the parole system it is not enough to ascertain their post-parole criminal history. While the basic aim of the peno-correctional system is to render men less criminalistic than they were before, the work of rehabilitation, as we have seen, involves the teaching of trades, inculcation of habits of industry, and other processes which ought to make a law-abiding life more easy and attractive. Yet in practically all existing follow-up studies of criminals the authors have failed to do more than attempt to ascertain the criminal record; and even that, as we have pointed out, has been limited to the parole period. In the present research every effort was made to obtain reliable information as to the industrial and economic history of the 510 men involved, during the five-year period beyond the end of their parole.

2. *Work Habits*

It was found that reliable information as to the post-parole work habits of the men could be obtained in 399 of the cases. The work habits of 134 (33.6% of the known cases) were classifiable as good;¹ of 98 (24.4%) as fair; of 167 (42%) as poor. The "poor" category included cases of illegitimate employment, such as bootlegging, drug-peddling, gambling.

An interesting result was obtained by comparing the work habits during the pre-Reformatory period with those of the post-parole period, a process best indicated by the following table:

TABLE 17
RELATION OF PRE-REFORMATORY TO POST-PAROLE WORK HABITS
(Percentages)

<i>Work Habits</i>	<i>Pre-Reformatory *</i>	<i>Post-Parole †</i>
Good	19.8	33.6
Fair	27.7	24.5
Poor	52.5	41.9

* 378 cases involved. † 399 cases involved.

¹ These concepts are explained on p. 135, note 25.

It is clear that there was an appreciable increase in the number of good workers in the post-parole period. There was a corresponding decrease in fair and poor workers, the decrease occurring largely in the "poor" category.²

3. Skill in Work

Analysis of the degree of occupational skill of the men during the post-parole period shows that 76 (17.5% of the known 434) were skilled³ workers; 178 (41%) were semi-skilled; and 180 (41.5%) were unskilled. A comparison of the percentages of persons classifiable in the different grades of skill, in the post-parole and pre-Reformatory periods, is made in the following table:

TABLE 18
RELATION OF PRE-REFORMATORY TO POST-PAROLE SKILL
(Percentages)

<i>Degree of skill</i>	<i>Pre-Reformatory *</i>	<i>Post-Parole †</i>
Skilled.....	13.8	17.5
Semi-skilled.....	32.1	41.0
Unskilled.....	54.1	41.5

* 505 cases involved. † 434 cases involved.

It will be seen that there was but a small increase in both the skilled and the semi-skilled groups in the post-parole stage, and a corresponding decrease in the unskilled class. The coefficient of contingency between pre-Reformatory and post-parole skill was .49, indicating a similarity between the status of the men during the two periods.

4. Earnings

The highest earnings of 248 of the men during the post-parole period were ascertainable. For 34 (13.7%) of the known group the greatest earnings were from \$10 to \$20 a week; for 39 (15.8%) from \$20 to \$25; for 56 (22.6%) from \$25 to \$30; for 45 (18.1%) from \$30 to \$35; for 55 (22.2%) from \$35 to \$45; and for the remaining 19 (7.6%) over \$45 a week. The average maximum earnings were \$31.11 per week (A. D., 8.05).

A comparison of the distribution of highest weekly earnings in the pre-Reformatory and post-parole periods is made in the next table:

² See note 25, p. 135.

³ These concepts are defined on p. 114, note 8.

TABLE 19

COMPARISON BETWEEN PRE-REFORMATORY AND POST-PAROLE HIGHEST WEEKLY EARNINGS

(Percentages)

<i>Highest Earnings</i>	<i>Pre-Reformatory</i> *	<i>Post-Parole</i> †
Less than \$10....	35.3	....
\$10 to \$20.....	38.6	13.7
\$20 to \$30.....	21.6	38.4
\$30 to \$40.....	4.5	30.2
\$40 or over.....	....	17.7

* Based upon 88 known cases. † Based upon 248 known cases.

One must be cautious in drawing definite conclusions from the above table, because of the great variation in the size of the series compared. Nevertheless, the differences between the pre-Reformatory and post-parole figures are great enough to enable us to assume that there was an improvement in the post-parole earning-capacity of the men over that of the pre-Reformatory period.

5. Criteria of Industrial Success or Failure

A comparison of the industrial attainments of the men in the pre-Reformatory and post-parole periods would have been highly desirable. But since information relating to the industrial status of the men prior to their commitment to the Reformatory was not complete enough for the purpose, we have had to content ourselves with an analysis of their industrial success or failure in the post-parole period only. The ex-prisoners were classified according to carefully defined criteria of success and failure. The following are the criteria evolved:

Success was attributed to a person who performed continuous, steady, reliable work of a year or more in a majority of the jobs held by him. Shorter periods of employment (between the longer jobs, while "tiding over") and brief periods of unemployment not due to any fault of the worker (seasonal unemployment, depression in industry, occasional slight illness) were permitted. *Partial success* was attributed to a person who worked continuously, steadily, and reliably for from three months to a year in most of the jobs held by him. Where the job was of the day-labourer type, so that the man was often employed for short periods, he was included in this category, if there were only such brief interruptions in his work as were inherent in the occupation itself. Those men were designated *failures* who did not meet the above standard of regularity, steadiness, and reliability because of native incapacity, arrests so frequent as to interfere with the continuity of their work, laziness, continual drinking, or drug addiction. Those continually unemployed because of chronic illness were

not included in any of the above categories; but thirty-eight men who were engaged in illicit occupations (procuring for prostitution, bootlegging, gambling) for part or all of the time were included.

It will be noticed that the criteria of success and failure do not include among their components the factor of skill. These categories were resorted to as a means of passing upon whether a person was a success, partial success, or failure from the point of view of steadiness, reliability, and continuity of work. A person may be unskilful and still be an industrial success in the type of work for which he is best suited — day labour, for example.

It was found that 68 (19.3%) of the 352 men upon whom it was possible to make this industrial judgment could be classified as successes; 112 (31.8%) as partial successes; 172 (48.9%) as failures.⁴ *Almost half of the men involved, therefore, must be regarded as industrial failures in the post-parole period.*

Analysis of the reasons for the industrial failure of the 172 men shows that laziness constituted 28.5%; drunkenness, 20.8%; roving disposition, 19.8%; mental peculiarities, 11%; untrustworthiness, 8.8%. Other reasons were too detailed to designate.

One might imagine that the more industrial experiences the prisoner was given while in the Reformatory,⁵ the better equipped he would be for industrial success on his release. An examination into this question, however, discloses no relationship (or even a slight *negative*, rather than a positive, correlation) between the number of different occupational opportunities given the men in the Reformatory and their post-parole success, partial success, or failure. Thus, of the 352 men involved, 62 had but one occupational experience in the Reformatory, and of these men 45.2% were industrial failures in the post-parole period, 54.8% were successes (combining partial success with success). But of the 216 men who had two or three occupational experiences, similar proportions were failures and successes (respectively 45.8% and 54.2%); while as to the remaining 73,⁶ who had over three occupational experiences, the proportion of failures was appreciably *higher* than among those who had but one occupational opportunity in the Reformatory — namely, 61.6% were failures, 38.4% successes.⁷

Correlation of the kind of worker the man was in the Reformatory with his later industrial success or failure shows that of the 136 men judged ⁸ to be good workers in the institution, 57.4% were classifiable as industrially successful or partially successful, and 42.6% as failures. Of the 31 who were judged fair workers in the Reformatory, 38.7% were classifiable as industrially successful or par-

⁴ This includes the 38 men engaged in unlawful occupations.

⁵ See p. 160.

⁶ In addition, one man had no occupational experiences in the Reformatory, as he was ill.

⁷ The coefficient of contingency between the number of occupational experiences in the Reformatory and subsequent industrial status was .22. See page 239, note to table 59, for an explanation of "coefficient of contingency."

⁸ See p. 162.

tially successful, 61.3% as failures. Of the 25 poor workers in the Reformatory, 48% were classifiable as industrially successful and partially successful, 52% as failures.⁹ These figures indicate a small positive correlation¹⁰ between the kind of worker a man was judged to be by the trade-school teachers at the Reformatory and his post-parole industrial success or failure.

6. Occupations in the Post-Parole Period

A detailed comparison of the principal occupations engaged in by the men in the pre-Reformatory and post-parole periods is practicable only if one combines the actual occupations into ten or twelve major groups. Such a comparison of the chief occupational groups, in the order of their general importance, is made in the following table:

TABLE 20

COMPARISON BETWEEN PRE-REFORMATORY AND POST-PAROLE MAJOR * OCCUPATIONS
(Percentages)

<i>Type of Work</i>	<i>Pre-Reformatory †</i>	<i>Post-Parole ‡</i>
Rough labour and "odd jobs"	20.0	22.2
Trucking, teaming, chauffeuring	12.2	14.5
Factory work	12.2	10.3
Mill work	9.8	5.4
Farm work	6.5	2.8
Salesmen's work and store-clerking	6.1	5.4
Bellboys' and messengers' work	6.1	.....
Electrical and machinist's work, and plumbing	6.3	10.3
Restaurant work	4.9	5.4
Carpentry, bricklaying, painting	4.3	10.9
All other known employment	11.6	12.8
Total	100.0	100.0

* The one which the man held the longest or the one to which he returned the most frequently; if all jobs were held about the same length of time, the one which required the most skill was tabulated.

† Based on 508 known cases. ‡ Based on 350 known cases.

The table indicates in general that our group were engaged in essentially the same occupations in the post-parole period as previous to their commitment. The percentages for each of the two chief groups, for example, representing

⁹ The total of 196 cases in which judgments had been made by the trade-school teachers and in which a post-parole industrial judgment was also available is 55.7% of the 352 cases in which *post-parole* industrial judgments of success, partial success, and failure were made by us.

¹⁰ The coefficient between the kind of worker a person was judged to be in the Reformatory and the post-parole industrial judgment was .16. The coefficient of contingency does not indicate whether a relationship is positive or negative. However, so far as the majority of the men is concerned (136 who were regarded as good workers in the Reformatory), the positive correlation is appreciable.

rough, unskilled, or semi-skilled work, remained remarkably alike in the pre-Reformatory and post-parole periods (respectively 32.2% and 36.7%). While those of the next two (factory work and mill work) were lower in the post-parole than in the pre-Reformatory period (15.7% and 22%, respectively), the difference was practically evened up by the first two. In other words, grouping the first four occupations, which constitute over half of the entire number, we find that the percentage in the pre-Reformatory period was 54.2, that in the post-parole period 52.4. We may, therefore, reasonably conclude that, *so far as unskilled or semi-skilled labour is concerned, in or out of factories or mills, the men did not improve their occupational status.*

At two points, however, some change for the better seems to be indicated by the figures; namely, the reduction of bell-boys and messenger-boys from 6.1% to zero, and the increase of the carpentry, bricklaying, and painting group from 4.3% to 10.9%. The former is probably due to the mere passage of time; the latter probably reflects some influence of the Reformatory trade schools.

The change between pre-Reformatory and post-parole percentages so far as electrical and machinist's work and plumbing are concerned, is in favour of the latter period (from 6.3% to 10.3%). If one considers mill work alone, the influence of the Reformatory in teaching various textile mill processes cannot be regarded as considerable; since, instead of an increase in the percentage of mill workers in the post-parole period, there is a reduction. Similarly, the farm work engaged in by the men at the Reformatory is not reflected in any increase in farm workers, there being rather a reduction. The other known employments are so varied that it is impossible to classify them.

But there is a better way to evaluate the relationship between the trade instruction in the Reformatory and the actual use of the skill supposedly acquired therein by the men. We have seen ¹¹ that 397 men had been engaged in occupations in the Reformatory long enough to learn the rudiments of the trades "in order that a man may have sufficient knowledge of them to work fairly satisfactorily on the outside." ¹² Of these it was found that 131 (33%) actually used the occupations at some time during the parole or post-parole period; 233 men (58.7%) did not use them at all; and it was unknown whether 33 (8.3%) used them or not.

The trade-school teachers mentioned especially 87 men who, in their opinion, were sufficiently equipped immediately to earn their living by the trades taught them. Of these men 31 (35.6%) used these trades in the parole or post-parole period; 46 (53%) did not; and it is unknown whether the remaining 10 (11.5%) did or did not use them. The showing as to these 87 men is but slightly better than that of the men in general. If one were to rule out the unknown groups in both classes, they would both show that *slightly over one-third of the men did at some time use the occupations taught in the Reformatory (36% of the 397,*

¹¹ P. 161.

¹² Statement of the Superintendent and trade-school teachers.

40% of the 87), and about two-thirds did not use them (64% and 60%, respectively).

A more detailed analysis of this point brings out other interesting facts. In 325 cases (63.9% of the total) there was no relation between the occupations taught in the institution (not known before entry thereto) and those used in the parole or post-parole period. In 185 cases (36.1%) the Reformatory occupations were used in the parole or post-parole period,¹³ but in 101 of them (54.6%) the men had worked at these occupations prior to their commitment to the Reformatory and merely continued in them at the institution.

In interpreting increases in good work-habits and in skill it must not be forgotten that the mere passage of time, the maturation of the youths whose careers we are considering, probably played some part in addition to that which the Reformatory and parole systems can be credited with.

7. Economic Status. Criteria of Success and Failure in Meeting Economic Obligations

Two hundred and fifty-three of the men, 49.6%¹⁴ of the total, were unmarried in the post-parole period. Of these, the fact of their having or not having dependents was known in 191 cases. Fifty (26.2%) had dependents; 141 (73.8%) had no known dependents. Two hundred and thirty-four of the men, 45.9% of the total, were married¹⁵ in the post-parole period. Thus a known total of at least 284 of the 510 men (55.7%) had dependents in the post-parole period.

Fifty-one (12% of the 424 cases in which this factor was known) were economically in the dependent¹⁶ class; 330 (78%) in the marginal class; and 43 (10%) in the comfortable class.

The following table shows the relative percentages in these classes during the pre-Reformatory and post-parole periods:

TABLE 21
PRE-REFORMATORY AND POST-PAROLE ECONOMIC STATUS
(Percentages)

Class	Pre-Reformatory *	Post-Parole †
Dependent.	14.7	12.0
Marginal.	56.4	78.0
Comfortable.	28.9	10.0

* Based on 424 cases. Refers to parental home.

† Based on 447 cases.

¹³ 127 men (24.9% of the total) used their Reformatory occupations during the parole period only; 38 (7.4%) used them during the parole and post-parole periods; 20 (3.8%) used them during the post-parole period only. These figures seem to indicate an effect of diminishing supervision on the use of Reformatory occupations in the post-parole era.

¹⁴ In 23 cases (4.5% of the total) it was unknown whether or not the man was married.

¹⁵ Forty-eight men were married prior to their commitment to the Reformatory, 79 married during the parole period, and the remaining 107 married during the post-parole period.

¹⁶ These terms are defined on p. 113, note 4.

It will be seen that in the post-parole period there is a considerable decrease in the percentage of those who can be classified as economically comfortable.¹⁷ Most of this reduction can probably be accounted for by the fact that in the pre-Reformatory period the economic status of many of these men was good, whereas the independent homes of the men in the post-parole period had not yet achieved this level.

As in the case of criminal conduct and industrial stability, it was found helpful to categorize our men into success and failure groups, this time with reference to whether or not they were *meeting their economic obligations to dependents*. The procedure was based on analysis of each case as follows: A person who was supporting himself or dependents comfortably was placed in the "good" group; one who was maintaining himself in marginal economic circumstances, if single, or his wife if married, or other near dependents, to the best of his ability without more than occasional public or private aid (including sporadic assistance from relatives when he should have been absolutely self-supporting), was placed in the "fair" group; one who failed to support himself or dependents, or who was contracting avoidable debts or receiving frequent aid from social agencies or from his family when he should have been self-supporting, was placed in the "poor" class.

On the basis of this classification it was found that of the 366 cases as to whom this information was available, 42 (11.4%) were classifiable as good in the post-parole period; 200 (54.6%) as fair; and 124 (34%) as poor.

Of the "good" group, all but five (that is, 88.1%) were married or had dependents; of the "fair" group, 64.5% were married or had dependents, 35.5% were single and without dependents; of the "poor" group, 71.8% were married or had dependents, and 28.2% were single and without dependents.

All of the 42 persons in the "good" group were in comfortable economic circumstances; all of the 200 persons in the "fair" group were in marginal circumstances; 78 (62.9%) of the 124 persons in the "poor" group were in marginal circumstances, the remainder, with one exception, being dependent. Thus almost two-thirds of the "poor" group avoided their economic obligations although they were able to fulfil them.

A comparison of pre-Reformatory economic responsibility with that of the post-parole period is made in the table at the top of the next page.

This table indicates a distinct post-parole increase in the percentages of those rated as "good" or "fair" in meeting economic obligations and a corresponding decrease in those rated as "poor."

It will be seen also that, ruling out the fact that there were no cases classifiable as "good" in meeting economic obligations in the pre-Reformatory period (for which the youth of the men was doubtless largely responsible), there is a

¹⁷ The coefficient between post-parole and pre-Reformatory economic status is .13, indicating but a small relationship.

TABLE 22

PRE-REFORMATORY AND POST-PAROLE ECONOMIC RESPONSIBILITY

(Percentages)

<i>Class</i>	<i>Pre-Reformatory *</i>	<i>Post-Parole †</i>
Good.....	....	11.5
Fair.....	17.7	54.6
Poor.....	82.3	33.9

* Based on 396 cases. † Based on 366 cases.

positive relationship between the pre-Reformatory and the post-parole "fair" status. There is less of a relationship between the pre-Reformatory and post-parole "poor" status, little over a third of the pre-Reformatory "poor" group being thus classifiable in the post-parole period.¹⁸ The pre-Reformatory "poor" class constituted 82% of the total; the post-parole comprised but 34% of the total. The difference is doubtless in large measure due to the relative immaturity and dependency of the youths in the pre-Reformatory stage, most of them having then resided with their parents. In the post-parole period, on the other hand, most of the men had to be self-supporting and had incurred obligations to support others, through marriage or through dependency of parents.

Further analysis of the figures upon which the percentage rates of the table are based shows that of the 56 in the "fair" category during the pre-Reformatory period, 23.2% were classifiable as "good" in the post-parole period; 53.6% were "fair"; 23.2% were "poor." Of the 313 classifiable as "poor" in the pre-Reformatory period, only 8.2% were "good" in the post-parole period; 54.1% were "fair"; 37.7% were "poor."¹⁹

8. Home and Neighbourhood Conditions

In the 291 cases in which the character of the post-parole homes was determinable, 24.7% were found to be favourable,²⁰ 41.6% fair, and 33.7% unfavourable.

In the 202 cases in which the nature of the neighbourhood in which the men resided during the post-parole period was determinable, 20.2% of the neighbourhoods were found to be favourable,²¹ 40.1% fair, and 39.7% unfavourable.

¹⁸ The coefficient is .21.

¹⁹ See Appendix F for information as to the method of determining the pre-Reformatory economic responsibility of the youths towards their families.

²⁰ *Favourable home*: comfortable apartment, roomy and well furnished. *Fair*: not too crowded; decent furniture. *Unfavourable*: overcrowded, dark, dirty, scantily furnished. "*Not determinable*" includes not only the unknown and deceased group of men, but those who were in institutions for over four of the five post-parole years.

²¹ *Favourable neighbourhood*: fairly good houses, particularly in an open neighbourhood; no

A comparison of the home and neighbourhood conditions indicates a very high correlation between the type of home and the type of neighbourhood. Thus of the 291 instances in which the home conditions were determinable, 72 were classifiable as favourable, and of these, 72.2% were known to be in favourable neighbourhoods. Again, of the 121 homes classifiable as fair, 79.7% were in fair neighbourhoods, 16.5% in unfavourable neighbourhoods, and 3.8% in favourable neighbourhoods. Of the 98 homes classifiable as unfavourable, 91 were in unfavourable neighbourhoods and not one in a favourable neighbourhood.²²

9. Summary

The outstanding facts in the foregoing discussion are the following:

(1) The post-parole work habits of 42% of the ex-prisoners were poor. There was, nevertheless, an appreciable increase over the pre-Reformatory stage in the number of men whose work habits were good (20%: 34%).

(2) Over 40% of the men were unskilled workers in the post-parole period, and less than one-fifth of the group were skilled workers, the remainder being semi-skilled. There were proportionately more skilled and semi-skilled men in the post-parole period than in the pre-Reformatory, although the increases were not very considerable.

(3) There was an improvement in the earning-capacity of the men during the post-parole period.

(4) The improvement in earning-capacity, and increase in good work-habits and skilfulness in work are probably in some measure attributable not only to the training received in the Reformatory, but also to the mere passage of time and the maturing of the young men involved.

(5) Almost half the men were adjudged industrial failures in the post-parole period, laziness, continual drunkenness, and *Wanderlust* constituting two-thirds of the known reasons for the 172 industrial failures.

(6) On the whole there was no marked improvement over the pre-Reformatory period in the types of work done by the men during the post-parole period. Only one-third of the men had at some time during the parole or post-parole periods used the occupations taught them in the Reformatory. In over half of these cases, moreover, the men had been engaged in the occupations prior to their commitment to the institution, and merely continued in them

gangs, no quarrelling, no extremely noisy neighbours; opportunities for good wholesome recreation near at hand. *Fair*: average tenement neighbourhood; clean; not too noisy; disturbing conditions not too prominent. *Unfavourable*: noisy, crowded, unclean streets; in or near disturbing conditions, such as corner gangs, immoral surroundings, bootlegging centres; places affording little chance for wholesome recreation. "*Not determinable*" is defined as in note 20. While it is impossible to draw hard and fast lines in definitions such as these, each case was carefully considered before being classified.

²² The high relationship between the type of neighbourhood and the physical nature of the home is also indicated by the contingency coefficient, which is .73.

there. In two-thirds of the known cases there was no apparent relation between the occupations taught in the Reformatory and not known by the men prior to their commitment, and those used by them in the parole or post-parole periods. But though many of the men did not work at the trades taught them at the Reformatory, the training in habits of industry and a certain amount of industrial capacity acquired in the institution may have contributed to the increase noted in good work-habits.

(7) There was a slight decrease in economic dependency and a considerable decrease in economic comfort during the post-parole period; there was an appreciable increase in the number of men in the marginal economic class. About one-third of the men were classifiable as "poor" in meeting their economic obligations, over half were "fair," and 11% were "good." A high relationship was found between the men's pre-Reformatory economic responsibility and their meeting of post-parole economic obligations; the fact that over seventy per cent of the 233 known to be "poor" in the pre-Reformatory period also failed to meet their economic obligations during the post-parole period is the most striking illustration of this.

(8) One-third of the post-parole homes were found to be unfavourable, one-fourth favourable, the remaining homes fair. A very high correlation was found between the type of home and the type of neighbourhood.

CHAPTER XIII

POST-PAROLE HISTORY OF EX-PRISONERS— FAMILY LIFE, HABITS, AND USE OF LEISURE

1. Introductory Comments

Thus far we have analysed the post-parole criminality and industrial and economic status of the former inmates of the Massachusetts Reformatory. But in order truly to gauge the progress or decadence of our young men it is necessary to delve deeper and evaluate the more subtle factors in the subsequent careers of our ex-prisoners—particularly their family relationships and their leisure pursuits. It is probably because reliable information on these more elusive, yet vital, factors is so difficult to obtain and to interpret that practically all of the few existing follow-up studies of former prisoners have neglected them. If an institution is to bring about fundamental reformation in the character of its inmates, however, such changes ought to be reflected not only in their reduced criminality and improved economic condition, but also, and more fundamentally, in their improved attitude towards their families and in a more constructive use of leisure. Is this change observable in our former inmates of the Reformatory? This question, together with the problem of the attitude of the community towards the ex-prisoner and his family, concerns us in the present chapter.

2. Marital or Family Relations

Of the 377 men about whose marital or family relations during the post-parole period information was available, 130 (34.4%) were compatibly married, 31 (8.4%) were married and living with their wives, but conducting themselves in a manner injurious to the family,¹ 48 (11.6%), though married, were not living with their wives.² Thirteen (3.4%) were not married and were living away from home, but communicating with parents or nearest relatives; 39

¹ Abusive, quarrelsome, irresponsible, neglectful, always out, guilty of adultery, temporarily separated from, or having deserted, wife.

² Because of divorce, desertion, separation, *Wanderlust*, or living illegitimately with another woman.

In 47 (24.2%) of the 195 marriages in which information as to children was available, there were no children; in 71 (36.4%) there was one child; in 34 (17.4%) there were two children; in 17 (8.7%) three; in 14 (7.2%) four; in 12 (6.1%) more than four.

(13.3%) were not married and were living away from home and either not communicating at all with their families or getting in touch with them only when in need of money; 63 (15.5%) were not married, and lived at home occasionally or continuously, and their attitude, though not necessarily good, was at least "negative" (that is, they were not a burden or liability); 49 (11.9%) were not married, were living with parents or near relatives occasionally or continuously, but considered the home as only a convenient place to eat and sleep in;³ and 4 (1.5%) were not married, but illicitly living with women. Thus during the period following parole *the marital or family relations of a total of 171 men (46.7%) were bad.*

3. Criteria of Success and Failure in Family Relationships

As for criminality, industrial stability, and economic responsibility, it was necessary and valuable to classify our men, this time on the basis of judgments as to their family relationships. The judgments were based on the following definitions, each case being separately scrutinized before it was classified:

The *standard* of socially acceptable conduct in regard to moral obligation to the family adopted for our purpose is the following: The man must not be harming his family in any way deemed injurious to the institution of the family; that is, if married, he must not neglect or desert his wife or children and must not be separated or divorced from his wife, not have illicit relations with other women, nor be abusive to his wife or children, nor be continually away in the evening. If single and living away from home, he must be in touch with his parents or nearest relatives. If single and living at home, he must have given evidence that he considers it more than merely a convenient place to sleep and eat in; for example, he must not be continually out in the evening, or living at home only when he is in need of funds.

If a man's relationship with his family in the respects noted in the standard was especially wholesome, he was classified as "*good*." If he met the above standard, he was classified as "*fair*." If he failed to meet the above standard, he was classified as "*poor*."⁴

On the basis of such classification it was found that out of a total of 377 known post-parole cases, 20.2% could be counted as good in their family relationships, 34.2% fair, 45.6% poor. In the table on the next page a comparison is made between pre-Reformatory and post-parole family relationships.

³ Dependent on family for support or conducting themselves in a way injurious to the family; undesirable, parasitic members of the family group.

⁴ For a detailed account of the method of determining pre-Reformatory family relationship, see Appendix G. The components entering into the judgments in the post-parole period are also indicated in Appendix G.

TABLE 23

COMPARISON BETWEEN PRE-REFORMATORY AND POST-PAROLE FAMILY RELATIONSHIPS

(Percentages)

<i>Class</i>	<i>Pre-Reformatory</i> *	<i>Post-Parole</i> †
Good.....	....	20.2
Fair.....	31.6	34.2
Poor.....	68.4	45.6

* Based on 433 known cases. † Based on 377 known cases.

It will be seen that *during the post-parole period there was an appreciable increase in the number of men whose family relationships were good.*⁵ Indeed, there was no known case during the pre-Reformatory period in which the youth's relationship to his family could justly be designated good, whereas one-fifth of the known cases were so classifiable in the post-parole period. To what extent this marked improvement is to be attributed to the efforts of the Reformatory and parole officers and to what extent it is due rather to the maturation of the young men and the change of attitude accompanying the assumption of marital and paternal responsibilities, it is difficult to say. At any rate, two facts are suggested by the above table: in the first place, there has been a marked improvement in family relationships; secondly, one cannot conclude, as the layman is prone to do, that because an ex-prisoner continues to engage in criminal activity, he is necessarily also a failure in his family relationships.⁶

4. Post-Parole Mobility

Of the 444 known post-parole cases, there was no mobility⁷ in 236 (53.4%); 78 (17.5%) were continually roaming; 45 (10%) moved to change residence; 85 (19.1%) moved about in search of employment.

A comparison of pre-Reformatory and post-parole mobility is made in the table on the next page.

⁵ The coefficient of contingency representing the association between pre-Reformatory and post-parole family relationship was .25.

⁶ See p. 219.

⁷ In the figures given, any change of environment indicating that the man did not take root anywhere was recorded; that is, roaming about, going from city to city to seek work, being engaged in such occupations as travelling salesman without having a definite home, working on boats apparently to satisfy the craving to wander, moving from one city to some other of an entirely different type so that a complete readaptation was necessary, or from one state to another, or from one country to another. Moving once from one city to another was not included, if the man showed every indication of remaining in the second city. In a few instances in which the man was in institutions or in the army throughout the post-parole period, the parole-period information was utilized; where the latter was not available, the case was placed in the incalculable group. The

TABLE 24
COMPARISON OF PRE-REFORMATORY AND POST-PAROLE MOBILITY
(Percentages)

<i>Class</i>	<i>Pre-Reformatory</i> *	<i>Post-Parole</i> †
Mobility	45.4	46.6
No mobility	54.6	53.4

* Based on 510 known cases. † Based on 444 known cases.

While these figures indicate practically no change in the mobility of the group during the two periods compared, they do not tell the entire story. Of the 178 cases in which there was post-parole mobility, 52.6% had also moved about in the pre-Reformatory stage, 47.4% had not. Of the 223 cases in which there was no post-parole mobility, 66% had also not moved about in the pre-Reformatory period, 34% had. This indicates that *an appreciable number of the persons within the entire group had changed their habits as regards mobility*, a conclusion which the massing of the figures in the above table does not reflect.⁸ Nevertheless, almost half the group were moving about considerably during the post-parole period. We have already commented⁹ on the fundamental significance of the neighbourhood turnover in the modern cosmopolitan, industrial population. It is one of the social phenomena that accompany the tremendous growth of urban communities and the continuous change of industrial activity in the America of today. Nothing short of a thorough-going investigation into the complex forces involved can give the basis of an intelligent program of social planning and the means of social control of this phenomenon and its associated problems. This factor of mobility illustrates how deep and wide are some of the ramifications of the crime problem, and how fundamental and far-reaching must be the attack upon it.

"unknown" cases include fugitives from justice, about whom little is known. It is likely that they are wandering about; but since this wandering may be primarily the result of their being fugitives, they have been placed in the "unknown" group, unless information about them prior to the time of their being fugitives from justice indicated that they then moved about considerably. Those who stayed in an institution or in the army or navy were not included in the mobility class, nor were those who moved about a good deal within one city. In the "no mobility" group are included those who left home once for a brief period (less than six months) to go to work, or went off on brief vacations, but returned home.

The tabulation was made on the basis of what appeared to be the *prime motive* in changing environment. In the "work" group are included those who seemed deliberately to choose occupations for constant change in scene, or who moved about to find more lucrative employment. Among those grouped as changing their environment by moving are men whose prime purpose seemed to be change of residence, to get away from the "old gang," or to move to the city in which the wife was brought up, or to move away with their parents, in order to remain in the parental home.

⁸ The coefficient between pre-Reformatory and post-parole mobility is .20.

⁹ P. 130.

5. Church Attendance

A comparison of church attendance in the pre-Reformatory and the post-parole periods is made in the following table:

TABLE 25
COMPARISON OF PRE-REFORMATORY AND POST-PAROLE CHURCH ATTENDANCE
(Percentages)

<i>Attendance</i>	<i>Pre-Reformatory*</i>	<i>Post-Parole†</i>
Attended church.....	8.5	36.2
Did not attend.....	3.0	32.4
Attended irregularly or occasionally	88.5	31.4

* Based on 460 known cases.

† Based on 216 known cases.

The figures indicate a *marked post-parole increase in both those who attended church regularly and those who did not attend at all, and a corresponding decrease in those who attended occasionally.* The difference between those who attended irregularly or occasionally in the pre-Reformatory stage and those who so attended in the post-parole period was about evenly divided between those who attended church regularly in the post-parole period and those who did not attend at all.

A more detailed analysis of the relationship between pre-Reformatory and post-parole church attendance is made in the following table:

TABLE 26
RELATIONSHIP BETWEEN PRE-REFORMATORY AND POST-PAROLE CHURCH ATTENDANCE *
(Percentages)

<i>Post-Parole Church Attendance</i>	<i>Pre-Reformatory Church Attendance</i>			
	<i>Regular</i>	<i>Irregular</i>	<i>None</i>	<i>Unknown</i>
Regular.....	3.8	87.3	...	8.9
Irregular.....	7.4	83.8	...	8.8
None.....	11.4	78.6	5.7	4.3

* Based on 216 cases.

It will be seen that 87% of the regular church-goers of the post-parole period had been irregular attenders during the pre-Reformatory period; 84% of the irregular post-parole church-goers had also attended irregularly in the pre-

Reformatory period; 79% of the post-parole non-attenders had been irregular attenders during the pre-Reformatory period, 11% had been regular attenders. Thus most of the accessions to the ranks of regular church-goers came from the irregular attenders, and those to the ranks of non-attenders also came largely from irregular attenders, although to an appreciable extent also from regular church-goers.¹⁰ This finding corresponds to the one derived from Table 25. It seems to indicate that, with the passage of time and the assumption or rejection of the responsibilities of marital and parental life, there is a definite sifting down of irregular church-goers into the two extremes—non-attenders and regular attenders. How far this is attributable to the work of the Reformatory and parole officers it is difficult to gauge. The situation indicates, however, that when the youths are in the Reformatory and, perhaps more, while the men are on parole, is the time for constructive missionary work on the part of churches. By this we do not mean the mere reaching out for additional church-goers; but, rather, friendly efforts to bring former criminals into the circle of social and recreational activity that nowadays is so important in church work. In other words, the church has an opportunity for the social rehabilitation of ex-prisoners, and for thus indirectly bringing about their spiritual reformation. This is an important field for missionary endeavour which the churches have as yet not sufficiently recognized. It is no less interesting or worthy to extend the hand of understanding and helpfulness to the social "heathen" at our gates than to convert the naïve heathen of distant, untracked lands.

6. Use of Leisure; Habits

Judgments were made as to the use of leisure by the men and the nature of their known habits, so that in this activity, as well as those already noted, a comparison might be made between the pre-Reformatory and the post-parole periods.

For a man to be classified in the "*constructive*" category, he had to be a member of a well-supervised social group, such as the Y. M. C. A., he had to utilize his leisure to further himself culturally or vocationally (as by attendance at night-school), and he had to be freed from bad habits of the kind indicated below. To be placed in the "*negative*" group he must at least not have been engaged in harmful activities, even though not utilizing his time constructively. Further, he must have had no marked bad habits.¹¹ Those who were using their spare time harmfully, who had pronounced bad habits and associations, who were indulging in forms of recreation which might lead to criminal

¹⁰ "*Regular*" means attending every Sunday and "*irregular*" means attending occasionally. The coefficient between pre-Reformatory and post-parole church attendance is .24.

¹¹ Persons who otherwise met the conditions, but who were known occasionally to gamble at cards or dice at home, or to drink at home to a degree rarely or never resulting in intoxication, were included in this group.

conduct (such as membership in gangs, association with bootleggers, prostitutes, and loafers, drug addiction, excessive drinking or gambling, sex immorality) were classified in the "*harmful*" group.

In the following table the nature of pre-Reformatory and post-parole use of leisure is indicated:

TABLE 27

COMPARISON OF PRE-REFORMATORY AND POST-PAROLE USE OF LEISURE AND HABITS

(Percentages)

<i>Class</i>	<i>Pre-Reformatory</i> *	<i>Post-Parole</i> †
Constructive		3.5
Negative	3.5	34.7
Harmful	96.5	61.8

* Based on 505 known cases. † Based on 343 known cases.

Although the number of known cases is smaller in the post-parole than in the pre-Reformatory period—which somewhat affects the soundness of the comparison—there is a sufficiently marked increase in the percentage of those who used their leisure time constructively or at least negatively in the post-parole period to indicate improvement over the pre-Reformatory use of leisure.

Going further into detail, it will be noted that not one of the known cases could in the pre-Reformatory period meet the standard required for the class using leisure "constructively," and only 3.5% could justly be classified as "negative" in use of leisure.

But the above table does not tell the whole story. Of the 18 persons (3.5% of the 505 known cases) who used their leisure time "negatively" during the pre-Reformatory period, not one was classifiable as using his leisure constructively during the post-parole period; 9 remained in the "negative" group; 5 were classifiable as using their post-parole leisure harmfully, and the status of 4 was unknown. Of the large group (327) whose pre-Reformatory use of leisure was harmful (the post-parole status of 160 being unknown), 3.6% were classifiable as constructively employing their spare time, and 33.4% as "negative" in use of leisure; the remaining 63% continued to use their leisure harmfully.¹²

Of 213 ex-inmates of the Reformatory who spent their leisure time harmfully during the post-parole period, 176 (82.6%) had bad associates; 126 (59.1%) drank to excess; at least 40 (18.7%) indulged in sex irregularities; 58 (27.2%) gambled; 10 (4.7%) used drugs. Many of the men engaged in more than one vicious or destructive habit. Thus, to mention but a few of the chief combinations, 56 men (26.3%) not only had bad associates, but drank to excess; 24 (11.3%) had bad associates, drank to excess, and gambled; 19 (8.9%) had bad

¹² The coefficient between pre-Reformatory and post-parole use of leisure was .12.

associates and gambled; 12 (5.6%) had bad associates and indulged in sex irregularities.¹³

One hundred and sixty-nine (49.2% of the 343 cases in which pertinent information was available as to both the pre-Reformatory and the post-parole periods) had bad associates in the post-parole as well as in the pre-Reformatory stage; 157 (45.8%) had them in the pre-Reformatory but not in the post-parole stage; 4 (1.2%) did not have bad associates in the pre-Reformatory, but did in the post-parole stage; and only 13 (3.8%) had them neither in the pre-Reformatory nor in the post-parole stage. Thus *almost half of 326 men who had had undesirable companions in the pre-Reformatory period (157, or 48.2%) did not associate with bad companions in the post-parole period.*

Seventy-six men (22.3% of the 340 in which pertinent information was available as to the pre-Reformatory and post-parole stages) drank excessively in the post-parole as well as in the pre-Reformatory period. Sixty-eight (20%) drank in the former period, but not in the latter; 148 (43.6%) drank neither in the pre-Reformatory nor in the post-parole period; 48 (14.1%) did not drink in the pre-Reformatory stage, but did in the post-parole. Thus, *there is a slight excess in the number of men who gave up drinking, over those who began to drink, in the post-parole period.*¹⁴

Twenty-nine men (16.7% of the 174 in which pertinent pre-Reformatory and post-parole information was available) gambled in the post-parole as well as the pre-Reformatory period. One hundred and twenty (69%) gambled in the former, but not in the latter, stage; 25 (14.3%) did not gamble in the pre-Reformatory, but did during the post-parole, period. Here again, then, improvement is noted, there being a *considerable excess in the number of men who gave up gambling, over those who began to gamble, in the post-parole period* (69% as compared to 14.3%).

7. The Attitude of the Community Towards the Ex-Prisoner

Thus far we have presented a picture of the grist of the mill of the Reformatory. It is not out of place at this stage to discuss the attitude of the community towards the ex-prisoner, as reflected in the work of public and private agencies that deal with problems of social maladjustment.

Careful study of our case histories indicates that many of the men were in need of some kind of specialized treatment, such as is furnished by public or private social agencies. In order to assess the attitude of the community's

¹³ In the figures relating to sex irregularity are included only cases of sex vice among married men and cases of pathological sex expression. Other sex irregularities were difficult to ascertain and it was not considered advisable to question the young men or their relatives about this point.

¹⁴ The figures as to drug addiction are too small to be discussed in the text. In 2 cases there was known to be both pre-Reformatory and post-parole use of drugs; in 8 there was known to be pre-Reformatory, but not post-parole, use; in 7 there was post-parole, but no known pre-Reformatory, use of drugs.

organized social facilities as favourably as possible, we have included in the table on which the discussion of this subject is based only the most glaring needs of the men. For example, those tabulated as needing *vocational guidance* were the men who, in the post-parole period, were very poor and very irregular workers; those set down as requiring *recreational supervision* were the men who spent their leisure time harmfully and not merely "negatively"; those tabulated as in need of constructive *family aid* were men who had serious marital problems, or, in a few cases, youths who were getting along very poorly with their nearest relatives. Finally, those counted as "*relief problems*" were men in a state of total dependency. If their nearest relatives were taking care of them, they were not tabulated as needing relief.

By such conservative analysis of the cases the following facts were established: (1) The need or lack of need of social supervision was unascertainable in 127 cases (24.9% of the 510 cases involved in the study). (2) Of the remaining 383 cases, 107 (28.1%) received no social assistance, and none of the specific types of aid mentioned above was needed in these cases; nevertheless, they would have profited considerably, to the benefit of themselves, their families, and society, had they been given some form of friendly aid (as by "big brothers"), particularly an opportunity for social rehabilitation.¹⁵ (3) One hundred and seventy-five of the men (45.6%) were, during the five-year post-parole period, receiving no aid from social agencies and were in great need of such constructive, friendly assistance; 30 (7.8%) were apparently receiving all the social supervision needed; 51 (13.3%) were benefiting by some form of social work, but further and more constructive assistance was needed. Twenty men required no social aid because they were in prison or the military service, practically throughout the five-year post-parole period; but their families may have needed social aid, and they themselves could probably have benefited by it later.

Analysis of the types of social work required in the 175 cases where aid was needed gives the following results: 56 men (32%) required guidance both vocationally and in the use of leisure; 48 (27.4%) required guidance in the constructive use of their spare time;¹⁶ 25 (14.3%) could have greatly benefited from assistance in domestic problems, vocational guidance, and aid in the use of

¹⁵ B. was given a few dollars each time that he was released from an institution, and, as he puts it, "set adrift" again. No constructive effort was made by any prisoners' aid society to rehabilitate him. Others also in the bitterest terms mention that their problems were disposed of with a few dollars. P. is doing well industrially and in his domestic life, but complains of his social isolation; although relatives and friends are now polite and courteous to him, he feels "a gulf" between him and them, and he believes "it can never be bridged." Our social investigator concludes that "the chief needs of P. and his wife are good friends."

¹⁶ For example, M. needs guidance in reading, for he likes to spend much of his leisure in this way. He read a good deal while in the Reformatory. This may be a means of bringing about a thoroughgoing change in his conduct. B. and his wife are doing well vocationally, but spend their evenings largely at the movies or gossiping, though they have capacity for better recreation.

leisure; 14 (8%) required assistance in family problems and in the use of leisure; 10 (5.7%) needed vocational guidance;¹⁷ 4 could have profited from vocational aid and assistance in establishing friendly family life; 8 needed treatment for alcoholism;¹⁸ 3 required health treatment, at least 4 needed a careful psychiatric examination,¹⁹ with possibly mental treatment or commitment. The remaining 3 men could have benefited greatly from various combinations of the above modes of aid.

It will be seen that *vocational guidance, aid in the constructive use of leisure, and good family case-work were the most frequent needs.*

An interesting light is thrown on the efficiency of existing social agencies by a comparison between the type of aid required, and that actually rendered the 81 men who were given some form of social supervision. Thirty men (or their families) were, as was said, receiving all the social-service assistance that could reasonably be expected. This constructive social work ranged as follows: 14 ex-prisoners were being given aid towards mental health; 8 were being given much-needed relief; 2 were receiving aid towards physical health; 2 were benefiting from relief and from aid towards physical health; 1 was receiving, not only relief, but constructive aid in family relations; 1 was profiting from relief and mental health aid; a child-welfare organization was coping with a children's problem in 1 family; 1 was receiving relief, vocational guidance, and family-welfare aid; and only 1 ex-prisoner was receiving constructive prisoners' aid.

Turning now to the 51 men to whom some form of social assistance was being given by agencies, but by whom much more constructive aid was needed, we find the following: 36 ex-prisoners were receiving relief merely, when 7 of these required vocational guidance and instruction in the constructive use of leisure, 6 needed aid in establishing proper family relations, 4 needed family

¹⁷ During the post-parole period M., who is a person of good intelligence, could get only odd jobs. Since then he has obtained steady employment at a salary and commission and is doing very well. K., of good possibilities, has been idle since he left the Reformatory. No one attempted to secure for him a job in which he could take a genuine interest.

¹⁸ C. is the drunken son of drunken parents. He has, however, made a very good marriage, and his situation is promising if his thirst for alcohol can be curbed. J.'s drinking at an early age appears to be intimately related to the fact that his father put him out of the home at fifteen and to the mental distress which followed; he should have been treated for alcoholism at the beginning of the tendency, and he probably required psychiatric assistance. Today he is a burglar and drunkard.

¹⁹ X. nearly killed two hunters, believing they were officers who were after him.

W.'s father and wife think "there is something wrong with him mentally." He has "spells" every few months when "he seems to be in a daze." At these times he is extremely irritable, throws things about, breaks the furniture, and hits his wife. When these spells come on, he wanders away, leaving his work. His father says he never understood him. The father believes W. had spells of mental aberration when he was young and that they have persisted since. W. left a job of which he was practically the boss because he didn't like his own assistant, and wandered away.

Y. needs a mental examination. He works quite regularly as an electrician near Boston, except for periodic spells when he leaves his family for as long as six months, during which time he does not feel any financial obligations towards his wife and children. Sometimes during these spells he remains at home, but is morose, quarrelsome, and very different from his usual self (says his wife). These spells "come usually in the spring and particularly after the birth of a baby."

aid and assistance in the use of leisure, 4 needed vocational guidance and placement,²⁰ 3 needed treatment for alcoholism, 2 required assistance in the constructive use of leisure, 2 needed vocational and domestic guidance, 2 required treatment for alcoholism, aid in the use of leisure, and vocational guidance, 1 needed a mental examination, probably followed by treatment, 1 required treatment for alcoholism, vocational guidance, and aid in domestic problems and the constructive use of leisure, 1 required special supervision, 1 needed aid in mental health, 1 needed vocational guidance, and the extra need was difficult to decide upon in one case.

Similar shortcomings in the social treatment of the remaining 15 men who were receiving some form of social assistance could be enumerated, and many more illustrative cases might be given.

On the other hand, occasionally some social agency has made a constructive effort to assist an ex-prisoner. But the rarity of such cases would indicate that the agency had some special personal reason for such aid. Thus, L. was financed to a "cure" for drug addiction, through the fact that a prisoners' aid association has been particularly interested in him for a long time; Z. is a good illustration of what can be done for a certain type of psychopath by a highly organized, far-reaching industry (the Ford plant in Detroit); he was given hospital care, steady employment, and good wages at a job that he could satisfactorily perform despite his limitations.

It is apparent from the foregoing analysis that *the community's official and private social welfare agencies are as yet far from awake to the importance and the possibilities of constructive work with ex-prisoners and their families. The rule is sporadic, superficial handling of the problems presented by the "forgotten man" and his family, rather than well-planned, concerted, constructive action.*

The reader is in possession of all the facts we have been able to dig out. Let him now review the background of vice, crime, and poverty in which our youths were reared, let him go over in his mind the truly chequered careers we have sketched—lives of delinquency, bad habits, vicious associates, industrial incapacity and instability. Let him recall the various correctional institutions through which society has pushed these men; then let him judge whether this abnormal humanity, ceaselessly belched forth from our penal mills with but little if any aid in gaining a social foothold, can reasonably be expected to "make good." When one considers the unsatisfactory nature of contemporary parole practice, the indifference of social welfare agencies towards the problem of crime, the un-co-operative attitude of most employers, the unfriendliness of those who should be friends, it is amazing that even a small percentage of ex-

²⁰ R. has great interest and some skill in engraving; but he is unable to secure a job at that kind of work. Compare the case of Antonio, pp. 80-83.

prisoners abandon their criminal activity. The chain of criminal justice is weak throughout; but it is highly probable that in the prisoner's transition from penal life to life in the community is to be found its weakest link. Here is a great field of endeavour for social welfare agencies; and thus far they have allowed it to lie fallow.

8. *Summary*

The following facts stand out from the preceding analysis:

- (1) The marital or family relations of almost half the men were poor.
- (2) While not one person could be adjudged "good" in family relations in the pre-Reformatory stage, about one-fifth of the men could be so classified in the post-parole period.
- (3) The mobility of the group, considered as a whole, remained practically the same during the post-parole and pre-Reformatory periods; that is, in both periods about 45% of the men moved about considerably, 55% did not. But in almost half the 178 cases in which there was post-parole mobility, there had been no mobility during the pre-Reformatory period; and in one-third of the 223 cases in which there was no post-parole mobility, there had been mobility in the pre-Reformatory period.
- (4) The post-parole period showed an increase of almost 30% over the pre-Reformatory period in the number of persons who attended church; but a slightly larger increase in the number who did not attend was also found, both changes occurring through a marked reduction in the number who had previously attended church irregularly.
- (5) The post-parole period showed a marked increase over the pre-Reformatory in the percentage of persons who were employing their leisure time "negatively" (that is, not harmfully, but also not constructively), and a small increase in the number who were using their leisure constructively. There was a corresponding decrease in the harmful use of leisure. Of the 327 men who had used their pre-Reformatory spare time harmfully and whose post-parole status was known, only 4% utilized their time constructively during the post-parole period; about one-third employed their leisure "negatively," and the remaining 60% continued to use their spare time harmfully.
- (6) Four-fifths of the 213 men known to use their post-parole leisure harmfully had bad associates; 60% drank to excess; almost one-fifth indulged in sex irregularities; over one-fourth gambled; 5% used drugs. The chief combinations of known vicious use of leisure were: excessive drinking and bad associates, over one-fourth of the men; bad associates, excessive drinking, and gambling, 11%; bad associates and gambling, 9%; bad associates and sex irregularities, 6%.
- (7) Almost half of the men had bad associates in both the post-parole and pre-Reformatory periods; slightly less had bad associates in the pre-Reformatory, but not in the post-parole, period; only 4% had no bad companions in

either of the periods. Almost half of 326 men who had undesirable companions in the pre-Reformatory period did not have them in the post-parole period. There was a slight excess in the number of men who gave up drinking in the post-parole period over those who began to drink, and a considerable excess of those who gave up gambling over those who began that practice.

(8) The community's public and private agencies for social welfare are evidently not awake to the need and importance of constructive work with ex-prisoners and their families. Sporadic, superficial treatment rather than concerted, consistent, and constructive action was found to be the rule.

In the chapters dealing with the post-parole history of the former inmates of the Massachusetts Reformatory, particularly the present chapter, we have seen some improvement in their condition over the pre-Reformatory stage. To what extent this improvement is attributable to the efforts of the Reformatory and parole systems, to what extent it is due to the mere passage of time and the maturation of our men, it is difficult to say. An attempt is made in Chapter XV to answer this question in so far as it admits of an answer. But before doing so, it will be instructive to relate the status of our men as regards post-parole criminality to their status in other respects. That is the object of the following chapter.

CHAPTER XIV

INTERRELATIONSHIP OF MAJOR FIELDS OF POST-PAROLE ACTIVITY

1. Introductory Comments

In the last two chapters a comparison was made between the pre-Reformatory and post-parole status of our men as regards various factors in their careers. In this chapter the attempt is made to establish the degree of relationship between post-parole success or failure with respect to criminality, and success or failure in the principal life activities for which "criteria of success or failure" have at various places in the preceding discussion been established. The purpose of the present chapter should be carefully distinguished from that of chapters XVI and XVII. The procedure followed in this chapter should be of value in proving whether, in analysing criminal careers, we are dealing not only with legally punishable misconduct, but with a veritable "kingdom of evils," of which criminality is but one of the antisocial manifestations. The procedure employed in chapters XVI and XVII, on the other hand, is for the purpose of determining which, among the fifty or more factors in the careers of our offenders, are most significant in predicting their future conduct.

2. Relation of Criminality to Industrial Stability

The association between post-parole success¹ or failure in avoiding criminal conduct and success or failure with respect to industry was found to be very high. This fact is brought out by the following table and its accompanying coefficient of contingency.²

The high relationship between post-parole criminal conduct and industrial status is evident in the table: Those who did not commit any offences after the expiration of the parole period compose 29.7% of the 346 men involved. But 58.1% of those who are industrial successes are non-offenders, while only 2.6% of the industrial failures are non-offenders. Again, the total failures from the standpoint of criminal conduct constitute 38.5% of the cases involved. Yet only 2.4% of the industrial successes and 29.7% of those who were partly successful industrially are total failures as regards criminality, while 75% of the

¹ For criteria of criminal conduct, consult pp. 188-9; for criteria of industrial status, see p. 195.

² For the significance of this coefficient, consult p. 239, note to table 59.

TABLE 28

RELATION OF POST-PAROLE CRIMINAL STATUS TO INDUSTRIAL STATUS
(Percentages)

<i>Industrial Status</i>	<i>Criminal Status</i>			
	<i>Success</i>	<i>Partial Failure</i>	<i>Total Failure</i>	<i>Total</i>
Success.....	58.1	39.5	2.4	100
Partial success.....	20.3	50.0	29.7	100
Failure.....	2.6	22.4	75.0	100
Total.....	29.7	31.8	38.5	100

Coefficient of contingency, .58.

industrial failures are also total failures with respect to criminal conduct.³ The close association between post-parole criminality and industrial failure is also indicated by the high coefficient.

3. Relation of Criminality to Meeting Economic Obligations

The next table indicates that there is a considerable association between the post-parole criminal conduct of the men and the extent to which they meet their economic obligations:⁴

TABLE 29

RELATION OF POST-PAROLE CRIMINAL STATUS TO STATUS WITH RESPECT TO THE MEETING OF
ECONOMIC OBLIGATIONS
(Percentages)

<i>Status as to Meeting of Economic Obligations</i>	<i>Criminal Status</i>			
	<i>Success</i>	<i>Partial Failure</i>	<i>Total Failure</i>	<i>Total</i>
Good.....	87.2	6.4	6.4	100
Fair.....	25.2	21.8	53.0	100
Poor.....	1.5	14.9	85.1	100
Total.....	23.0	17.7	59.3	100

Coefficient of contingency, .53.

³ In the industrial failure group those engaged in illegitimate enterprises (bootlegging, drug-peddling, procuring, gambling) are included. They constitute 2 of the 64 partial successes as regards criminality, 34 of the 196 failures. In the tables in this chapter "unknown" cases occurring in either industrial or criminal history had to be excluded. This accounts for the totals (346 above) being less than the entire post-parole group of cases.

⁴ For criteria of economic responsibility, see p. 200.

Here again there is a high association between the factors involved. Thus, all non-offenders constitute 23% of the 283 cases considered. But 87.2% of those who are classifiable as "good" in the meeting of family economic obligations committed no crimes in the post-parole period, while none of those who are "poor" in the meeting of economic obligations committed no offences. Again, all of the total failures from the standpoint of criminal conduct constitute 59.3% of the cases involved. Yet only 6.4% of those who are "good" in meeting economic obligations and 53% of those who are "fair" are total failures as regards criminal conduct, while 85.1% of those who are "poor" with respect to the meeting of economic obligations are also total failures from the point of view of criminality. The close association between post-parole criminal conduct and status with respect to the meeting of economic obligations is also indicated by the high coefficient.

4. Relation of Criminality to Family Life

The next table indicates that there is a considerable association between the post-parole criminal status of the men and their family relationship as expressed in their behaviour:⁵

TABLE 30

RELATION OF POST-PAROLE CRIMINAL STATUS TO POST-PAROLE FAMILY RELATIONSHIP

(Percentages)

<i>Family Relationship</i>	<i>Criminal Status</i>			
	<i>Success</i>	<i>Partial Failure</i>	<i>Total Failure</i>	<i>Total</i>
Good.....	77.7	11.9	10.4	100
Fair.....	22.7	27.3	50.0	100
Poor.....	1.5	13.2	85.3	100
Total.....	25.2	17.9	56.9	100

Coefficient of contingency, .58.

A high association between the factors involved is again evident. Thus, all non-offenders constitute 25.2% of the 313 cases involved. Yet as many as 77.7% of those who are classifiable as "good" in family relationship committed no crime, and only 1.5% of those who are "poor" in family relationship did so well. Again, all of the total failures as regards criminal conduct constitute 56.9% of the cases involved. Yet only 10.4% of those who are "good" in family relationship are total failures in respect to criminal conduct, while 85.3% of those whose family relationship is "poor" are also failures as regards criminality.

⁵ For the criteria relating to family relationship, see p. 205.

The considerable association between post-parole criminal status and status as regards family relationship is also indicated by the high coefficient.

5. *Relation of Criminality to use of Leisure and Habits*

The following table shows that there is a very high association between the post-parole criminal status of the men and their use of leisure and habits:⁶

TABLE 31
RELATION OF POST-PAROLE CRIMINAL STATUS TO POST-PAROLE USE OF LEISURE AND HABITS
(Percentages)

<i>Use of Leisure, and Habits</i>	<i>Criminal Status</i>			
	<i>Success</i>	<i>Partial Failure</i>	<i>Total Failure</i>	<i>Total</i>
Constructive.....	83.3	16.7	....	100
Negative.....	62.7	22.1	15.2	100
Harmful.....	....	18.5	81.5	100
Total.....	24.7	19.7	55.6	100

Coefficient of contingency, .46.

The high association between the factors involved is brought out by the following analysis of the above table: All of the non-offenders constitute 24.7% of the 340 cases involved. Yet 83.3% of those who are classifiable as "constructive" in the use of leisure and in habits committed no crime, while not a single person who used his leisure harmfully and had bad habits was a non-offender. Again, the whole group of total failures as regards criminal conduct makes up 55.6% of the cases involved; but not a single ex-prisoner who used his leisure constructively is a total failure in respect to criminal conduct, while 81.5% of those who employed their leisure harmfully recidivated. The very considerable association between post-parole criminal status and use of leisure is also indicated by the high coefficient.

By way of summary and comparison the table on the next page indicates the relation between success or failure as to criminal conduct and the status with regard to *each* of the foregoing activities:

6. *Relation of Criminality to Other Activities in Combination*

In the foregoing pages we presented a detailed analysis of the relationship of *each* of the factors (industrial status, meeting of family economic obligations, attitude towards family, and use of leisure and type of habits) to success or failure from the point of view of post-parole criminality. In this section post-

⁶ For the criteria relating to use of leisure and to habits, see p. 209.

parole criminality is related to all the other factors *in combination*. But before this can be done, a word of explanation as to method is necessary.

TABLE 32

RELATION BETWEEN POST-PAROLE CRIMINAL STATUS AND STATUS AS REGARDS OTHER ACTIVITIES
(Percentages)

Criminal Conduct	Industrial Status			Economic Obligations			Family Attitude			Leisure and Habits		
	Success	Partial Success	Failure	Good	Fair	Poor	Good	Fair	Poor	Con-structive	Nega-tive	Harm-ful
Success....	58.1	39.5	2.4	87.2	6.4	6.4	77.7	11.9	10.4	83.3	16.7	....
Partial failure...	20.3	50.0	29.7	25.2	21.8	53.0	22.7	27.3	50.0	62.7	22.1	15.2
Total failure...	2.6	22.4	75.0	....	14.9	85.1	1.5	13.2	85.3	....	18.5	81.5

It will be remembered that by the definition of terms covering all the criteria except that of criminal conduct, "partial success" (or "fair," or "negative," as the case happens to be) represents the minimum standard of success, while "success" (or "good" or "constructive") stands for more than the minimum. On the other hand, partial failure as regards *criminal* conduct more correctly indicates failure, but to a less degree than that represented by the designation "total failure."⁷ Moreover, in all criteria except that regarding criminality, our "success" group meets a high standard, one perhaps above that of even the average non-criminal person. Thus, it will be recalled that industrial "success" means holding the majority of jobs for at least a year; being employed steadily, with unemployment, if any, due to no fault of the worker. As to economic responsibility, "good" means comfortably supporting one's dependents. As to attitude towards family it means being an active participant in family life. As to use of leisure and type of habits, "success" means constructive use of leisure and the absence of harmful habits. Achievement of the *partial* success or "fair" grade in these various fields is therefore probably nearer to that which ought reasonably to be expected from ex-prisoners than a performance that can be graded as "success" or "good."

For these reasons, in considering the relationship of criminal conduct to other activities in combination, it was deemed justifiable to embrace in one group the success or "good," and partial success or "fair" categories relating to non-criminal activities, but to retain the threefold classification of criminal conduct.⁸

⁷ See pp. 187-188.

⁸ Only three cases were classifiable as complete successes in all respects, including criminal conduct, throughout the post-parole period.

Following this procedure, the association between success, partial failure, or total failure as to (a) criminal activity, on the one hand, and (b) the *combined* factors of industry, meeting economic obligations, attitude towards the family, use of leisure and habits, on the other, was found to be expressed by the high coefficient of .62. *Thus, a very significant relationship is shown to exist between success or failure from the point of view of criminality, and success or failure in the other activities combined.*

The details of the relation between criminality and all other factors taken in combination are brought out by the following table:

TABLE 33
RELATION OF CRIMINALITY TO ALL OTHER FACTORS COMBINED
(Percentages)

<i>Non-Criminal Factors</i>	<i>Criminal Factor</i>			
	<i>Success</i>	<i>Partial Failure</i>	<i>Total Failure</i>	<i>Total</i>
Success or partial success in all non-criminal activities.....	72.2	17.8	9.0	100
Failure in one or more non-criminal activities*.....	1.8	20.1	78.1	100
Total.....	25.7	19.0	55.3	100

Coefficient of contingency, .62.

* This group includes the following: *Poor* in all non-criminal activities: none in "success" criminal class, 8 in "partial failure," 72 in "total failure." Failure in at least one, but not all, non-criminal activities: 4 in "success" criminal class, 36 in "partial failure," 99 in "failure."

The high degree of interrelationship is evident on analysis of this table. Thus, those who committed no crimes during the five-year period following their parole constitute 25.7% of the 331 cases involved. Yet as many as 72.2% of the total and partial successes in non-criminal activities are to be found in the group which avoided crime, while only 1.8% of the failures in non-criminal activities committed no crimes. Again, those who were failures in respect to criminal activity make up 55.3% of the cases involved; but the successes (partial and total) in non-criminal activities contribute only 9% of their number to the criminal class, while the failures in non-criminal activities contribute the high proportion of 78.1%.

7. Summary

(1) The coefficient expressing the relationship between post-parole criminal conduct and industrial status is .58.

(2) That expressing the relationship between criminal conduct and the status in respect to the meeting of family economic obligations is .53.

(3) That expressing the relationship between criminal conduct and attitude towards the family is .58.

(4) That expressing the relationship between criminality and the use of leisure and type of habits is .46.

(5) Finally, the coefficient indicating the relationship between the post-parole criminal status and the status as regards industry, economic responsibility, family relationship, use of leisure, and habits, in combination, is .62.

These high coefficients all show a considerable association between post-parole criminal status and status in each of the other activities mentioned above, or all of them in combination.

CHAPTER XV

INFLUENCE OF THE REFORMATORY

1. Introductory Comments

In Chapters XII and XIII we raised, but did not attempt to answer, the important question: To what extent are the changes noted in the lives of the former inmates of the Reformatory to be attributed to the efforts of that institution (and of the parole system), and to what extent are they rather the result of other influences? Obviously this is a very difficult question to answer. When one considers how complex are the motivations and conditionings of human conduct, one despairs of ever being able to give replies that are even tentatively sound. One of the inherent difficulties in all research concerned with human beings is that the numerous and subtle factors and forces involved in both the organism and its environment are not subject to that scientific "control" which to a great degree is possible in the physical and chemical laboratory. Nevertheless, any rational attempt at evaluation of the complex forces at work in the motivation and conditioning of human conduct and the change of human character should be encouraged, as it brings us at least one step nearer to the greatly desired goal. In this chapter, therefore, such an attempt is made. It consists, first, of a classification of the ex-prisoners into those probably influenced by the Reformatory for good and those probably not so influenced; secondly, of a statistical comparison between the two groups to determine to what extent they differ in the incidence of the pre-Reformatory factors studied in the preceding pages.

The chief problem is to determine which factors apparently facilitate, and which hamper, the efforts of the Reformatory to improve the conduct of its charges. For this purpose it makes no difference that some of the men who were improved continued later to indulge in criminal conduct.¹ The fact that a former inmate of the Reformatory is classifiable as a failure or a success in the post-parole period does not, by itself, indicate whether there was some improvement noted in his case; nor does it throw sufficient light on the probable

¹ In Chapters XVI and XVII the various factors in the lives of our men are related to the actual post-parole criminality status, to determine which of the factors are appreciably or considerably associated with success or failure as regards post-parole conduct, and which appear to bear no relation thereto. The object of this chapter, as explained in the text, is different.

role of the Reformatory in the process. The good or bad result may have been due more to extraneous factors than to the efforts of the institution.

In other words, the present chapter does not pertain to the *absolute* success or failure of the men. The question is, rather: What factors enable the Reformatory to bring about some improvement over the pre-Reformatory condition of the prisoners, and what factors appear to interfere with the work of the institution?

The first step to be taken in answering this question is, as was said, to select objectively the men probably influenced for good by the Reformatory and those probably not so influenced. This is done solely on the basis of their criminal conduct during the parole and post-parole periods, as compared with their prior conduct.

2. Offenders Probably Influenced by the Reformatory for Good, and Those not so Influenced

The cases ² have been classified in the following categories:

Group A: This group consists of 128 men (35.9%) who committed serious ³ offences prior to their sentence to the Reformatory and continued to commit such offences during the parole and post-parole periods. It is reasonable to conclude from this consistent record of serious wrongdoing of the men after their release from the Reformatory that that institution had no effect on Group A in curbing their criminality.

Group B: This group is composed of 44 men (12.4%) who committed serious offences prior to their sentence to the Reformatory and during the post-parole period, but as to whose conduct some improvement was noted *during parole*; that is, they then committed *minor* offences or were non-offenders.⁴ These cases seem to indicate that while the Reformatory had some influence on the men, it was only temporary, or that the influence was that of *parole* rather than of the Reformatory. And as to parole supervision, its influence seems to have been largely of a deterrent nature, rather than a fundamental transformation in the character of the men. For whatever influence the parole system brought into play in these cases, it did not extend beyond the parole period.

Group C: This group includes 129 men (36.3%) who committed serious offences prior to their sentence to the Reformatory, whose conduct showed some improvement during parole (namely, the commission of minor offences only,

² This analysis is based on the 356 cases as to which sufficient information was available; in 154 cases it was impossible to determine the probable influence of the Reformatory, because of insufficiency of information.

³ For the distinction between serious and minor offences in this study, see Appendix C.

⁴ Eight committed minor offences frequently in the parole period, 11 could be classified as partial failures, 25 as successes in the parole period. For the definition of these categories, see pp. 188-189.

or a change in classification from total failure to partial failure or success), and also showed improvement during the post-parole period, even though there was, in a number of the cases in this group, some slipping back from the standard achieved during parole.⁵ In these cases, in the absence of evidence to the contrary, the Reformatory (and the parole system) must be credited with having exerted a socially desirable influence. At the same time, however, there may have been other favourable influences at work to bring about the good result.

Group D: This class constitutes 55 men (15·4%) who committed serious offences prior to their sentence to the Reformatory and who continued to commit them during parole, but whose conduct showed some improvement in the *post-parole period*; that is, the commission of minor offences only, or a rise in classification from total failure to partial failure or success.⁶ The influence of the Reformatory for good in these 55 cases is not very clear. If the institution did have such influence, why was it not manifest during the parole period which immediately followed discharge of the men from the Reformatory? It is also difficult to say whether the parole system should be credited with any good influence in such cases. Only a careful, case-by-case analysis of this group would throw light on the probably effective causes of the good result. The findings of such analysis, which are given in the foot-note,⁷ indicate that neither the Reformatory nor the parole system can in fairness be credited with the men's avoidance of serious offences in the post-parole period, in the 55 cases constituting Group D.

⁵ Fifty-six were classified as successes in both the parole and the post-parole periods; 15 as partial failures in the two periods; 21 as successes in the parole period and partial failures in the post-parole; 4 as frequent minor offenders in the parole period and partial failures in the post-parole; 11 as partial failures during parole and frequent minor offenders in the post-parole period; 4 as frequent minor offenders during parole and in the post-parole period; 9 as partial failures in the parole period and successes in the post-parole period; 8 as successes in the parole period and frequent minor offenders in the post-parole period; and 1 as a frequent minor offender in the parole period and a success thereafter.

⁶ Twenty-one of these were serious offenders in the parole period and frequent minor offenders subsequently; 19 were serious offenders on parole and occasional minor offenders subsequently; and 15 were serious offenders on parole and successes thereafter.

⁷ Steady employment (1 case); interest of employer, and good home (1); marriage and steady employment (1); strong family ties (1); marriage (5); good home life and wife (1); watchfulness of stepfather, pastor, wife (1); post-adolescent settling down and marriage (2); treatment for dyspomania (1); post-adolescent settling down (1); weaving training given at reformatory and post-adolescent settling down (1); marriage, work, post-adolescent settling down (3); satisfaction of *Wanderlust* by occupation as seaman (1); post-adolescent settling down and steady employment (2); naval discipline and proper marriage (1); good and remunerative job (1); army discipline (1); influence of head of parole service, sheriff and wife (1); active interest of Massachusetts Prison Association (1); real reasons unknown (8). In addition to the foregoing there are two groups who, though post-parole successes so far as the non-commission of *serious* offences is concerned, are, from another point of view, failures. Six of these are continuous drinkers, occasionally arrested for drunkenness; the remaining 15 have a record of persistent minor offences during the post-parole period, though they have never committed serious offences.

3. *Comparison of Influenced and Uninfluenced Offenders — Parental Factors*

It will be seen that two groups, A and C, stand out from the foregoing as indicating most clearly the influence or lack of influence of the Reformatory in improving the men. These two groups will be compared in the following pages to determine the relative incidence of various factors.⁸ Group A we shall call the *uninfluenced group*, C the *influenced group*.

TABLE 34
EDUCATION OF PARENTS

	<i>Both Uneducated</i>		<i>One or Both with Grammar-School Education</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Influenced.....	9	7.3	114	92.7	123	100
Uninfluenced.....	9	7.5	111*	92.5	120	100

* Including two cases of high-school attendance.

It is clear that the influenced and uninfluenced groups contain the same proportion of men with uneducated parents as men whose parents had a common school education. Hence the education of parents seems to have had little to do with the efforts of the Reformatory in exerting an influence towards improving the conduct of our men.

TABLE 35
FAMILY CRIMINALITY

	<i>Criminality or Delinquency</i>		<i>No Criminality or Delinquency</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Influenced.....	84	74.3	29	25.7	113	100
Uninfluenced.....	91	81.2	21	18.8	112	100

The influenced group had a slightly smaller proportion of criminal parents than the uninfluenced. Therefore, parental criminality seems to play only a small part in facilitating or hampering the work of the Reformatory.

⁸ In the following tables a few cases as to which pertinent information on various factors was unobtainable have had to be omitted. Ordinarily, however, the totals in the influenced and uninfluenced columns are near the 129 and 128 cases constituting, respectively, Group C (influenced) and Group A (uninfluenced).

TABLE 36

PRE-REFORMATORY ECONOMIC STATUS OF FAMILY

	<i>Dependent</i>		<i>Marginal</i>		<i>Comfortable</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Influenced.....	15	12.4	76	62.8	30	24.8	121	100
Uninfluenced....	20	16.8	68	57.1	31	26.1	119	100

The influenced group have a somewhat smaller proportion in the economically dependent class of parents than the uninfluenced; but they also have a slightly smaller proportion in the *comfortable* class than the uninfluenced. It would seem, therefore, that the economic class of the parents of the prisoners has but little to do with facilitating or hindering the work of the Reformatory.

TABLE 37

NATIVITY OF PARENTS AND SONS

	<i>Parents Native, Sons Native</i>		<i>Parents Foreign, Sons Foreign</i>		<i>One or both Par- ents Foreign, Sons Native</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Influenced.....	32	25.6	25	20.0	68	54.4	125	100
Uninfluenced....	40	32.5	24	19.5	59	48.0	123	100

The influenced group have a slightly smaller proportion than the uninfluenced, of native-born sons of native parentage, and slightly larger proportions of foreign-born sons of foreign parentage and native-born of foreign or mixed parentage. Hence nativity of parents as related to that of sons seems to exert but a small influence on the Reformatory's efforts to improve the conduct of its inmates.

4. Comparison of Influenced and Uninfluenced Offenders—Personal Factors

In this section we continue the comparison between cases probably influenced for good by the Reformatory and those probably not so influenced, taking up factors affecting the ex-inmates themselves.

TABLE 38

NATIVITY OF EX-INMATES OF THE REFORMATORY

	<i>Native-Born</i>		<i>Foreign-Born</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Influenced.....	102	79.8	26	20.2	128	100
Uninfluenced....	102	81.0	24	19.0	126	100

It is evident that the influenced and uninfluenced groups had the same proportions of native-born and foreign-born men. Therefore nativity of the inmates of the Reformatory appears to have had almost nothing to do with the work of the institution in exerting an influence towards improvement of conduct.

TABLE 39
AGE AT LEAVING HOME

	14 or under		Over 14		Never left home		Total	
	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent
Influenced.....	39	30.7	60	47.3	28	22.0	127	100
Uninfluenced....	61	48.4	43	34.2	22	17.4	126	100

The influenced group have an appreciably lower percentage of youths who left home at fourteen or under than the uninfluenced, and an appreciably higher percentage of men who left home at over fourteen or who had not left home up to the time that they entered the Reformatory. Hence it appears that the institution can do more with men who did not break away from their homes at an early age than it can with others.

TABLE 40
PRE-REFORMATORY MOBILITY

	Frequent Environ- mental Change		No Frequent En- vironmental Change		Total	
	No.	Per cent	No.	Per cent	No.	Per cent
Influenced.....	55	42.6	74	57.4	129	100
Uninfluenced....	62	48.4	66	51.6	128	100

The influenced and uninfluenced groups had but slightly different proportions of men who moved about frequently in the pre-Reformatory period and those who did not. Hence pre-Reformatory mobility appears to have exerted but little influence in aiding or hampering the work of the institution looking towards improvement of the conduct of its inmates.

TABLE 41
AGE AT WHICH INMATES BEGAN WORK

	Began Work at				Total	
	14 or under		Over 14		No.	Per cent
	No.	Per cent	No.	Per cent		
Influenced.....	49	51.0	47	49.0	96	100
Uninfluenced....	49	54.5	41	45.5	90	100

Those who began work at fourteen or under have but a slightly higher percentage in the uninfluenced than in the influenced class. Hence the age at which our men began work appears to have had little to do with the task of the Reformatory in improving the conduct of the men.

TABLE 42

PRE-REFORMATORY OCCUPATIONAL SKILL

	<i>Skilled</i>		<i>Semi-Skilled</i>		<i>Unskilled</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Influenced.....	29	22.7	41	32.0	58	45.3	128	100
Uninfluenced....	11	8.7	42	33.1	74	58.2	127	100

The influenced group contains a considerably higher proportion of skilled workers than the uninfluenced, and an appreciably lower percentage of unskilled workers. It seems evident, therefore, that the degree of industrial skill which the men possessed on entering the Reformatory had considerable to do with the success of the institution in improving their conduct.

TABLE 43

PRE-REFORMATORY ECONOMIC RESPONSIBILITY

	<i>Fair</i>		<i>Poor</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Influenced.....	31	30.7	70	69.3	101	100
Uninfluenced....	12	11.8	90	88.2	102	100

It is clear that the men who were at least partially successful⁹ in meeting their family economic obligations during the pre-Reformatory period contributed much more heavily to the influenced than to the uninfluenced class, while the reverse was true as to the failures in meeting economic obligations. Hence if a man had been meeting his family economic obligations prior to entry to the Reformatory, the work of the institution in affecting him for good had greater promise of success.

⁹ It will be recalled that not a single man could, in the pre-Reformatory period, be classified as a complete success in meeting economic obligations. See p. 201.

TABLE 44

PRE-REFORMATORY FAMILY RELATIONSHIP

	<i>Fair</i>		<i>Poor</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Influenced.....	44	40.0	66	60.0	110	100
Uninfluenced.....	31	28.5	78	71.5	109	100

The influenced group had an appreciably higher proportion of men who were at least fair¹⁰ in their family relationship than the uninfluenced, while the reverse is true of those whose family relationship was poor. It appears, therefore, that whether a man's relationship towards his family was at least fair, on the one hand, or poor, on the other, contributed appreciably to the success or failure of the Reformatory in improving his conduct.

TABLE 45

PRE-REFORMATORY USE OF LEISURE AND HABITS

	<i>Negative</i>		<i>Harmful</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Influenced.....	6	4.6	123	95.4	129	100
Uninfluenced.....	2	1.5	126	98.5	128	100

While the influenced group has three times the percentage of the uninfluenced in the "negative" (that is, not harmful, but also not constructive) class regarding use of leisure, the entire number of persons whose pre-Reformatory use of leisure could be designated negative¹¹ was only 8, so that we may discard this factor for practical purposes.

TABLE 46

PRE-REFORMATORY CHURCH ATTENDANCE

	<i>Regular</i>		<i>Irregular</i>		<i>Never Attended</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Influenced.....	10	8.1	112	91.1	1	0.8	123	100
Uninfluenced....	4	3.6	99	90.0	7	6.4	110	100

¹⁰ Not a single man could, in the pre-Reformatory period, be classified as "good" in family attitude. See p. 206.

¹¹ Not one case could in the pre-Reformatory stage be classified as using leisure constructively. See p. 210.

The influenced group contains twice the percentage of regular church-goers as the uninfluenced, and a considerably smaller percentage of those who never attended. But here, again, the total of regular church-goers and of those who never attended is so small that no conclusions can safely be drawn.

TABLE 47

RELIGION

	<i>Catholic</i>		<i>Protestant</i>		<i>Hebrew</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Influenced.	88	69.0	34	27.0	5	4.0	127	100
Uninfluenced. . . .	73	58.0	44	34.9	9	7.1	126	100

The influenced group had an appreciably higher proportion of men of Catholic faith than the uninfluenced, and appreciably lower percentages of those of Protestant and Hebrew faiths. It appears, therefore, that whether a man's religion was Catholic, on the one hand, or Protestant or Hebrew, on the other, has an appreciable, though low, effect on the success of the Reformatory in improving his conduct. Here, however, the great disproportion between the Catholic and the other religious groups must be taken into account as probably affecting the outcome, the Catholics numbering 161 men, the Protestants 78, the Hebrews only 14.

TABLE 48

MENTAL CONDITION

	<i>No Mental Abnormality</i>		<i>Psychopathic</i>		<i>Psychotic</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Influenced.	63	76.9	13	15.8	6	7.3	82	100
Uninfluenced. . . .	65	58.6	29	26.1	17	15.3	111	100

The influenced group has an appreciably higher proportion of mentally sound men than the uninfluenced, and smaller proportions of both psychopaths and psychotics. The result is probably affected to some extent by the considerable difference between the influenced and uninfluenced groups in the number of men about whom information was obtainable (82 as opposed to 111). But there is a sufficient residual difference between the two groups to make it safe to say that the mental condition of the men on entrance to the Reformatory has appreciably to do with their response to the institution's efforts at improving their conduct.

TABLE 49
INTELLIGENCE

	<i>Normal</i>		<i>Dull</i>		<i>Borderline</i>		<i>Feeble-minded</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Influenced.....	48	39.7	28	23.1	24	19.8	21	17.4	121	100
Uninfluenced....	30	24.2	35	28.2	34	27.4	25	20.2	124	100

The influenced group had an appreciably higher percentage in the normal class than the uninfluenced, while the uninfluenced group has higher percentages in the dull, borderline, and feeble-minded classes. Thus, the intelligence grade of the men appears to have appreciably to do with their response to the Reformatory's efforts at improving their conduct.

TABLE 50
PHYSICAL CONDITION

	<i>Good</i>		<i>Fair or Poor *</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Influenced.....	115	97.0	4	3.0	119	100
Uninfluenced....	109	91.6	10	8.4	119	100

* There were three men of poor physical condition, all uninfluenced.

The influenced group contains an appreciably higher proportion of men of good physical condition than the uninfluenced group, and an appreciably smaller percentage of those of fair or poor condition. The totals, however, are very disproportionate (224 men of good physical condition as opposed to 14 of fair or poor condition), and conclusions cannot safely be drawn.

TABLE 51
AGE AT FIRST DELINQUENCY

	<i>10 or Under</i>		<i>11 to 13</i>		<i>14 to 16</i>		<i>17 and Over</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Influenced.....	6	4.7	30	23.3	54	41.8	39	30.2	129	100
Uninfluenced....	16	12.7	42	33.3	52	41.3	16	12.7	126	100

The uninfluenced class has almost three times as many youths who became delinquent at ten or under than the influenced group, and an appreciably larger percentage of those whose delinquencies began at the ages of eleven to thirteen. The influenced class, on the other hand, has over twice the percentage of the uninfluenced, of those who began to be delinquent at seventeen and over. Hence, whether the men began their delinquent careers early in life, or at seventeen or over, appears to facilitate or hinder the efforts of the Reformatory in improving their conduct.

TABLE 52

PRE-REFORMATORY ARREST OR NON-ARREST

	<i>No Prior Arrests</i>		<i>Prior Arrests</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Influenced.....	20	15.5	109	84.5	129	100
Uninfluenced.....	7	5.4	121	94.6	128	100

Obviously the influenced group contains a much higher proportion of those with no record of arrests (preceding the arrest for the offence for which sentence to the Reformatory was imposed) than does the uninfluenced class. Hence whether the man had been arrested or not, preceding the arrest for which he was sentenced to the Reformatory, appears to exert an appreciable influence on the work of the institution in improving his conduct.

TABLE 53

FREQUENCY OF PRE-REFORMATORY ARRESTS

	<i>No Arrests</i>		<i>1 Arrest Only</i>		<i>1 in 18 Months or more</i>		<i>1 in each 10 to 18 Months</i>		<i>1 every 9 Months or less</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Influenced....	23	18.4	24	19.2	23	18.4	24	19.2	31	24.8	125	100
Uninfluenced..	7	5.7	12	9.8	19	15.3	32	26.0	53	43.2	123	100

The influenced group has a considerably higher percentage than the uninfluenced of men who had never been arrested preceding the arrest which resulted in their commitment to the Reformatory; this relationship between the influenced and uninfluenced also holds true of those with but one arrest, and to a lesser degree of those with one arrest in every eighteen months or more. The reverse is true of those arrested more frequently (once in ten to eighteen months or once in nine months or less). Thus the frequency with which the

men had been arrested prior to arrest for the offence which brought them to the Reformatory appears to exert a considerable influence in facilitating or hampering the work of that institution in improving the conduct of the men.

TABLE 54

SERIOUSNESS OF PRE-REFORMATORY CRIMINALITY

	<i>Failure — Serious *</i>		<i>Failure — Minor</i>		<i>Partial Failure — Serious</i>		<i>Partial Failure — Minor</i>		<i>Success</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Influenced. . . .	89	69.0	11	8.5	1	.8	11	8.5	17	13.2	129	100
Uninfluenced. .	115	90.0	8	6.2	1	.8	2	1.5	2	1.5	128	100

* For the meaning of these terms, see pp. 188-189 and Appendix C.

The influenced group has an appreciably smaller percentage of failures who committed serious offences than the uninfluenced; a slightly higher percentage of failures who committed minor offences; and considerably higher percentages of partial failures who committed minor offences, and of successes. Whether, therefore, upon entrance to the Reformatory, the men were (not counting the offence for which they were sentenced) failures who committed serious offences, on the one hand, or partial failures who committed minor offences, or successes, on the other, appears to have an appreciable effect on the work of the Reformatory. On the contrary, their being failures who committed minor offences or partial failures who committed serious offences does not seem to be significant in that connexion. It should be pointed out, however, that the entire group of failures who committed serious offences is much larger than the other categories, constituting 204 out of a total of 257 cases.

TABLE 55

LENGTH OF PRE-REFORMATORY PENAL EXPERIENCE

	<i>None</i>		<i>Less than one year</i>		<i>One year or more</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Influenced.	69	60.0	15	13.0	31	27.0	115	100
Uninfluenced. . . .	34	29.5	22	19.2	59	51.3	115	100

It is obvious that the influenced group has a considerably larger percentage than the uninfluenced of men who, preceding their sentence to the Reformatory,

had never before experienced penal servitude, and lower percentages of those who had served either less than a year or a year or more. Thus, whether or not men had had prior penal experience when they entered the Reformatory appears to be of considerable significance in facilitating or hampering the attempt of that institution to improve their conduct.

TABLE 56
SERIOUSNESS OF OFFENCE FOR WHICH SENTENCED TO REFORMATORY

	<i>Major Offence</i>		<i>Minor Offence</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Influenced.....	114	88.4	15	11.6	129	100
Uninfluenced.....	124	97.0	4	3.0	128	100

While the total who committed minor offences for which they were sentenced to the Reformatory was only 19 out of 357, it is significant that 15 out of the 19 were in the influenced rather than the uninfluenced class.

TABLE 57
COMMISSION OF OFFENCE FOR WHICH SENT TO REFORMATORY, ALONE OR WITH OTHERS

	<i>Alone</i>		<i>With Others</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Influenced.....	45	35.1	83	64.9	128	100
Uninfluenced.....	58	46.5	67	53.5	125	100

It is evident that the influenced group contains an appreciably smaller percentage of men who committed offences alone than the uninfluenced group, and an appreciably larger percentage who committed offences in company with others. Hence whether the men committed offences alone or with others appears to have some influence in facilitating or hampering the Reformatory in its attempt to improve their conduct.

TABLE 58
AGE AT WHICH MEN ENTERED THE REFORMATORY

	<i>17 or Under</i>		<i>18 to 20</i>		<i>21 to 23</i>		<i>24 and Over</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Influenced.....	14	10.9	51	39.5	32	24.8	32	24.8	129	100
Uninfluenced....	26	20.3	61	47.7	21	16.4	20	15.6	128	100

The influenced group has an appreciably smaller percentage of younger men (twenty or under) than the uninfluenced, while the reverse is true of the older men. Hence, whether the men were twenty or under, on the one hand, or twenty-one or over, on the other, appears to be appreciably related to the success of the Reformatory in improving their conduct.

5. Summary

Analysis of our cases indicates that the Reformatory had no effect in improving the conduct of 128 men (36% of the 356 cases involved) and did have such effect (together with the parole system and perhaps other favourable influences on the outside) in 129 cases (36%). On 44 men (12%) the Reformatory may have had some influence, but it was temporary and it might have been largely the result of parole rather than the efforts of the institution. Outside influences, rather than the efforts of the Reformatory or parole system, brought about improvement in 55 more cases (16%).

The following factors were found to facilitate or hamper the work of the Reformatory to but a *negligible degree, if at all*: (1) education of parents, (2) family criminality, (3) parental economic status, (4) the nativity of parents as related to that of sons, (5) the nativity of the prisoners themselves, (6) the pre-Reformatory mobility of the men, (7) the age at which they began work, and, (8) possibly, the physical condition of the men.

The following factors were found to facilitate the work of the Reformatory to an *appreciable, though occasionally small, degree*: (1) leaving home at over fourteen, if at all, as opposed to leaving home at fourteen or under; (2) being at least fair in family relationship, as opposed to being poor in that respect; (3) possibly,¹² attending church regularly in the pre-Reformatory period, as opposed to not attending church at all; (4) possibly, and only to a small degree, being of the Catholic faith, as opposed to Protestant or Hebrew; (5) being of normal mentality, from a psychiatric point of view, as opposed to being psychopathic or psychotic; (6) being of normal intelligence, as opposed to being classifiable as dull, of borderline mentality, or feeble-minded; (7) having begun to be delinquent at seventeen or over, as opposed to thirteen and under (the percentages of the class aged fourteen to sixteen are the same in the influenced and uninfluenced group); (8) having had no arrests prior to the one which led to the Reformatory sentence, as opposed to a record of such prior arrests; (9) having had one arrest only in the pre-Reformatory period (preceding arrest for the offence which led to the Reformatory sentence), as opposed to arrests of various degrees of frequency; (10) having been a non-offender

¹² The numbers of those who attended regularly and those who never attended (14 and 8, respectively) are so much smaller than the number who attended irregularly (201) that the results as to this factor, as well as to pre-Reformatory use of leisure, which we do not include in the summary, must be accepted with qualification.

or at least a minor offender in the pre-Reformatory period, rather than a more serious offender; (11) having been committed to the Reformatory for a minor offence rather than a serious; (12) to a lesser degree, having committed offences with others rather than alone.

The following factors were found to facilitate the work of the Reformatory to a *considerable degree*: (1) being a skilled rather than an unskilled worker, upon entrance to the Reformatory; (2) being at least a partial success in the meeting of pre-Reformatory economic obligations to the family, rather than a failure; (3) having had no penal experience prior to the Reformatory commitment, as opposed to having had such experience to a varying extent.

CHAPTER XVI

RELATION OF PRE-REFORMATORY FACTORS TO POST-PAROLE CRIMINAL STATUS

1. Introductory Comments

In the foregoing chapters we presented the facts as to the conduct of our ex-prisoners during the pre-Reformatory, Reformatory, parole, and post-parole periods. In Chapter XV we indicated which of these factors facilitated or hampered the work of the Reformatory. The present and several succeeding chapters are concerned with an evaluation of the influences at work in curbing or failing to curb the criminalism of the men during the *five years following the completion of parole*. The method utilized for this purpose is a comparison of the three classes of offenders¹ with reference to the incidence of over fifty important factors in the lives of the men.

TABLE 59

NATIVITY OF PARENTS AND SONS RELATED TO POST-PAROLE CRIMINAL STATUS OF SONS

Nativity	Criminal Class							
	Success		Partial Failure		Total Failure		Total	
	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent
One or both parents foreign, son native.....	46	21.5	39	18.2	129	60.3	214	100
Son native, both parents native.....	21	18.4	14	12.3	79	69.3	114	100
Son foreign, both parents foreign.....	18	24.0	16	21.3	41	54.7	75	100
Total.....	85	21.1	69	17.1	249	61.8	403	100

Coefficient of contingency,* .11.

¹ It will be remembered that these classes represent groups of judgments respecting success, partial failure, and total failure as regards criminal conduct. See Appendix E, which gives details and figures of the components of these judgments.

* The coefficient of contingency ("C"), which measures the relationship between pre-Reformatory and post-parole work habits was found to be .24, or 29.5% of the greatest possible value of the coefficient in a threefold table (.82). This is an appreciable association. "The greatest possible value of the coefficient" (Professor Karl Pearson's "mean square contingency coefficient") "is . . . only unity if the number of classes be infinitely great; for any finite number of classes

2. Parental Factors

The present section deals with parental factors, the succeeding sections with factors affecting primarily the ex-prisoners themselves.

The table on page 239 indicates the relationship between (1) the nativity of parents and sons and (2) the post-parole criminal status of the latter.

In table 59 the slight relationship between nativity of parents and sons and the post-parole criminal status of the latter is evident. Of the 403 men as to whom pertinent information was available, 21.1% were successful in avoiding criminality. Each of the nativity groups, however, has an essentially similar percentage in the "success" class. The same is true of the total failures.²

TABLE 60

EDUCATION OF PARENTS RELATED TO POST-PAROLE CRIMINAL STATUS OF SONS

Education	Criminal Class							
	Success		Partial Failure		Total Failure		Total	
	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent
Both parents without formal education.....	77	22.6	55	16.1	208	61.3	340	100
One or both parents, common school.....	11	19.0	13	22.4	34	58.6	58	100
Total.....	88	22.1	68	17.1	242	60.8	398	100

Coefficient of contingency, .07.

The relation between education of parents and the post-parole criminal status of sons is shown to be negligible. All of the successes in avoiding criminality compose 22.1% of the 398 cases involved, and all of the failures constitute 60.8%. These are, however, essentially the same proportions as are contributed to the success and total-failure classes, respectively, by both those whose parents were without formal education and those whose parents (one or both) had a common school education.³

the limiting value of C is the smaller the smaller the number of classes" G. Udny Yule, *An Introduction to the Theory of Statistics* (1922), p. 65. In a twofold table, C cannot exceed .71; in a threefold, .82; in a fourfold, .87; etc. (ibid. p. 66). The coefficient used is a mathematical device for indicating the associations shown in tables like the above, by means of a single convenient figure. For the mathematical process involved in ascertaining this coefficient, see Yule, op. cit., pp. 66-7.

² Compare p. 242 as to the relationship of nativity of sons to their post-parole criminal status. See note to table 112, p. 285, for explanation of variance in total failure percentages in the tables in this and the next chapter.

³ One case in which there was one parent with a college education is disregarded above.

TABLE 61
PRE-REFORMATORY ECONOMIC STATUS OF PARENTS RELATED TO POST-PAROLE
CRIMINAL STATUS OF SONS

<i>Economic Status</i>	<i>Criminal Class</i>							
	<i>Success</i>		<i>Partial Failure</i>		<i>Total Failure</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Dependent *	7	12.3	12	21.1	38	66.6	57	100
Marginal.....	50	24.6	36	17.7	117	57.7	203	100
Comfortable.....	23	23.0	16	16.0	61	61.0	100	100
Total.....	80	22.2	64	17.8	216	60.0	360	100

Coefficient of contingency, .13.

* See p. 113, note 4, for the definition of these concepts.

It is clear that there is a relatively low relationship between the pre-Reformatory economic condition of the parents and the post-parole criminal conduct of the ex-prisoners themselves. All of the men who were successes in avoiding crime compose 22.2% of the 360 cases involved. But those whose parents were economically dependent have 12.3% of their number in the class of successes, while the marginal and comfortable groups have slightly higher proportions of their respective numbers in the success class than the entire 360 cases have. Again, the economically dependent group has a slightly higher proportion of its numbers in the class who failed partly, and a slightly higher proportion in the class who failed completely, than the percentages contributed by the 360 cases.

TABLE 62
CRIMINALITY OR DELINQUENCY OF PARENTS RELATED TO POST-PAROLE CRIMINALITY OF SONS

<i>Parents Criminal or Delinquent</i>	<i>Criminal Class</i>							
	<i>Success</i>		<i>Partial Failure</i>		<i>Total Failure</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Yes.....	72	19.5	61	16.5	236	64.0	369	100
No.....	17	32.1	10	18.9	26	49.0	53	100
Total.....	89	21.1	71	16.8	262	62.1	422	100

Coefficient of contingency, .11.

While those who were successful in avoiding criminality compose 21.1% of the 422 cases involved, the men with criminal parents contribute 19.5%—but a slightly smaller percentage. Those whose parents were not criminal, however, contribute appreciably more to the class of successes. The proportion in the

class of those who failed partly is but slightly higher among men whose parents were law-abiding than in the entire 422 cases. The percentage of total failures is slightly higher for those with criminal parents, and appreciably lower for those with non-criminal parents, than it is for the entire 422 cases. Nevertheless, the coefficient indicates only a slight relationship between the criminality of parents and the post-parole conduct of sons.

3. Nativity, Mobility, Religion, and Church Attendance of Ex-Inmates of the Reformatory

The foregoing analysis has indicated on the whole a negligible relationship between factors in the lives of parents and the post-parole criminality of sons. We turn now to pre-Reformatory factors relative to the sons themselves.

The following table presents the relationship between the nativity of the ex-prisoners and their post-parole criminal status.

TABLE 63

NATIVITY OF EX-INMATES OF THE REFORMATORY RELATED TO THEIR POST-PAROLE CRIMINAL STATUS

<i>Nativity</i>	<i>Criminal Class</i>							
	<i>Success</i>		<i>Partial Failure</i>		<i>Total Failure</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Native-born.....	69	20.2	55	16.1	218	63.7	342	100
Foreign-born.....	20	25.0	16	20.0	44	55.0	80	100
Total.....	89	21.1	71	16.8	262	62.1	422	100

Coefficient of contingency, .07.

A glance at this table and the low coefficient will indicate the negligible relationship between the nativity of the ex-inmates of the Reformatory and their post-parole criminality. Whatever relationship exists is the opposite from what it is often presumed to be; namely, the foreign-born are slightly more successful in avoiding criminality than the native-born.

Proceeding with the analysis of pre-Reformatory factors as related to the post-parole criminal status of our group, the table at the top of the next page analyses the influence of pre-Reformatory mobility:⁴

The fact that there is no relationship between pre-Reformatory mobility and post-parole criminality is apparent at a glance, as the percentage figures in the three lines of table 64 are practically identical.

⁴ See p. 129, note 6, for the definition of this term.

TABLE 64

PRE-REFORMATORY MOBILITY RELATED TO POST-PAROLE CRIMINAL STATUS

<i>Mobility</i>	<i>Criminal Class</i>							
	<i>Success</i>		<i>Partial Failure</i>		<i>Total Failure</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Yes.....	41	22.4	31	16.9	111	60.7	183	100
No.....	48	20.1	40	16.7	151	63.2	239	100
Total.....	89	21.1	71	16.8	262	62.1	422	100

Coefficient of contingency, .03.

TABLE 65

RELIGION RELATED TO POST-PAROLE CRIMINAL STATUS

<i>Religion</i>	<i>Criminal Class</i>							
	<i>Success</i>		<i>Partial Failure</i>		<i>Total Failure</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Catholic.....	51	18.7	52	19.1	169	62.2	272	100
Protestant.....	28	23.0	16	13.1	78	63.9	122	100
Hebrew.....	7	36.9	2	10.5	10	52.6	19	100
Total.....	86	20.8	70	16.9	257	62.3	413	100

Coefficient of contingency, .12.

All those who were successful in avoiding crime, regardless of religion, compose 20.8% of the 413 cases involved. But the Catholic group has a smaller percentage of successes, the Protestants and Hebrews have a larger. Again, all of

TABLE 66

CHURCH ATTENDANCE RELATED TO POST-PAROLE CRIMINAL STATUS

<i>Church Attendance</i>	<i>Criminal Class</i>							
	<i>Success</i>		<i>Partial Failure</i>		<i>Total Failure</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Regular *.....	3	18.7	5	31.3	8	50.0	16	100
Irregular.....	52	28.3	40	21.7	92	50.0	184	100
Total.....	55	27.5	45	22.5	100	50.0	200	100

Coefficient of contingency, .07.

* See p. 131 for the definition of these terms. Four persons who never attended church have been added to the irregular attendance group.

the total failures compose 62.3% of the cases involved. But the Catholics and Protestants contribute about the same percentages to the class of total failures as is contributed by all the cases involved, the Hebrews a smaller percentage. Consequently there is some relationship, though a slight one, between the religion of ex-inmates of the Reformatory and their criminality during the post-parole period.

While the small coefficient doubtless contains a large element of error due to the considerable disproportion in the size of the church-attendance classes, it probably reflects a true situation; namely, that pre-Reformatory church attendance appears to bear little relation to post-parole criminality.

4. Family Relationship; Age at Leaving Home

The following table indicates the association between the attitude of the offender towards his family preceding his commitment, and the post-parole criminal status of the group:

TABLE 67
FAMILY RELATIONSHIP AND POST-PAROLE CRIMINAL STATUS

Family Relationship	Criminal Class							
	Success		Partial Failure		Total Failure		Total	
	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent
Fair *	35	31.0	24	21.2	54	47.8	113	100
Poor.....	44	22.0	32	16.0	124	62.0	200	100
Total.....	79	25.2	56	17.8	178	57.0	313	100

Coefficient of contingency, .14.

* See Appendix G for the definition of these terms in this connexion. No cases could be classified as "good" in family attitude during the pre-Reformatory period.

Of the 313 men as to whom pertinent information was available, 25.2% were successes in avoiding crime. But those whose family relationship was fair contribute appreciably less to the successes, while those whose family relationship was bad contribute somewhat less. This holds true also of the partial failures. Again, 57% of the 313 cases involved are total failures from the standpoint of criminality; but those of fair family relationship have only 47.8% in the class of total failures, those of bad family relationship 62%.

Of the 330 cases involved, 19.1% were successes in avoiding criminality. But only 12.6% of the youths who left home before they were fourteen are successes, while 23.6% of those who left at fourteen or over are in that class. If one combines the classes of partial and total failures, it is found that the failures, regard-

TABLE 68

AGE AT LEAVING HOME RELATED TO POST-PAROLE CRIMINAL STATUS

<i>Age at Leaving Home</i>	<i>Criminal Class</i>							
	<i>Success</i>		<i>Partial Failure</i>		<i>Total Failure</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Under fourteen	17	12.6	26	19.3	92	68.1	135	100
Fourteen and over . .	46	23.6	27	13.8	122	62.6	195	100
Total	63	19.1	53	16.0	214	64.9	330	100

Coefficient of contingency, .14.

less of age, compose 80.9% of the 330 cases involved; but those who left home under the age of fourteen contribute 87.4% to the combined classes of failures, while those who left at fourteen or over contribute 76.4%.

5. Industrial and Economic Factors

In the next table we present the relationship between the age at which our young men began to work and their post-parole criminal status:

TABLE 69

AGE AT BEGINNING WORK RELATED TO POST-PAROLE CRIMINAL STATUS

<i>Age at Beginning Work</i>	<i>Criminal Class</i>							
	<i>Success</i>		<i>Partial Failure</i>		<i>Total Failure</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Under fifteen	33	20.8	22	13.9	103	65.3	158	100
Fifteen and over . . .	36	22.7	30	18.9	93	58.4	159	100
Total	69	21.7	52	16.4	196	61.9	317	100

Coefficient of contingency, .08.

Of the 317 men whose cases are embraced in the table, 21.7% succeeded in avoiding criminality. But practically the same proportions of successes are also found in the two age groups. If the partial and the total failures are combined, it will be seen that the two age groups contribute about the same proportions to the failures.

The next table indicates a considerably higher association between a pre-Reformatory factor in the lives of the men and their post-parole criminal status than any of those thus far treated:

TABLE 70

PRE-REFORMATORY WORK HABITS RELATED TO POST-PAROLE CRIMINAL STATUS

<i>Work Habits</i>	<i>Criminal Class</i>							
	<i>Success</i>		<i>Partial Failure</i>		<i>Total Failure</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Good *.....	28	46.7	6	10.0	26	43.3	60	100
Fair.....	16	20.3	16	20.3	47	59.4	79	100
Poor.....	18	12.1	29	19.4	102	68.5	149	100
Total.....	62	21.5	51	17.7	175	60.8	288	100

Coefficient of contingency, .42.

* For the definitions of these concepts see p. 135, note 25.

Of the 288 cases involved in the table, 21.5% were successes in avoiding criminality. But 46.7% of those with good industrial habits (over twice the preceding percentage) are successes, while only 12.1% of those with poor work habits are in that class. Again, all of the total failures compose 60.8% of the 288 cases involved. But those with good work habits contribute only 43.3% to the total failures, while those with poor work habits contribute 68.5%.

TABLE 71

PRE-REFORMATORY INDUSTRIAL SKILL RELATED TO POST-PAROLE CRIMINAL STATUS

<i>Industrial Skill</i>	<i>Criminal Class</i>							
	<i>Success</i>		<i>Partial Failure</i>		<i>Total Failure</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Skilled *.....	16	30.2	8	15.1	29	54.7	53	100
Semi-skilled.....	36	29.5	22	18.0	64	52.5	122	100
Unskilled.....	35	17.2	40	19.6	129	63.2	204	100
Total.....	87	22.9	70	18.4	222	58.7	379	100

Coefficient of contingency, .17.

* For the definitions of these terms see p. 114, note 8.

Of the 379 cases involved in the table, 22.9% were successful in avoiding criminality. But 30.2% of the skilled workers, and 29.5% of the semi-skilled, are successes, while only 17.2% of the unskilled are successes. The skilled workers also have a smaller proportion in the class of partial failures than is contributed thereto by all the cases regardless of industrial skill. Finally, all of the total failures compose 58.7%; but the skilled and semi-skilled workers contribute less than that percentage of their respective totals to the total failures, while

the unskilled contribute more than that percentage. The distinctions between the skilled and semi-skilled workers are, however, negligible.

Of the 283 cases involved in table 72, 22.9% were successes in avoiding criminal conduct. But those who were at least fair in economic responsibility have more than twice that percentage, while the economic failures have only 17.1% of their number in the class of successes. Again, all of the total failures from the point of view of criminality compose 59.4% of the 283 cases involved, while the economically responsible have 41% in the class of failures, the irresponsible 64%. Thus it will be seen that there is an appreciable relationship between the pre-Reformatory status of the men as regards economic responsibility and their status with respect to criminality.

TABLE 72
PRE-REFORMATORY ECONOMIC RESPONSIBILITY RELATED TO POST-PAROLE CRIMINAL STATUS

<i>Economic Responsibility</i>	<i>Criminal Class</i>							
	<i>Success</i>		<i>Partial Failure</i>		<i>Total Failure</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Fair *.....	26	46.5	7	12.5	23	41.0	56	100
Poor.....	39	17.1	43	18.9	145	64.0	227	100
Total.....	65	22.9	50	17.7	168	59.4	283	100

Coefficient of contingency, .27.

* For the definitions of these terms see Appendix F. Notice that not one case could in the pre-Reformatory period be classified "good" in economic responsibility. See p. 275 for such classification in the post-parole period.

6. Use of Leisure

The following table indicates the association that exists between the nature of pre-Reformatory use of leisure and post-parole criminality:

TABLE 73
PRE-REFORMATORY USE OF LEISURE RELATED TO POST-PAROLE CRIMINAL STATUS

<i>Use of Leisure</i>	<i>Criminal Class</i>							
	<i>Success</i>		<i>Partial Failure</i>		<i>Total Failure</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Negative *.....	6	42.8	5	35.7	3	21.5	14	100
Harmful.....	78	23.9	62	19.0	186	57.1	326	100
Total.....	84	24.7	67	19.7	189	55.6	340	100

Coefficient of contingency, .14.

* For the meaning of these terms, see p. 209. Notice that not one case could in the pre-Reformatory period be placed in the class using leisure "constructively." See p. 276 for such classification in the post-parole period.

Of the 340 cases involved in table 73, 24.7% were successes in avoiding criminal conduct. Those of "negative" (that is, neither constructive nor harmful) use of leisure contribute almost twice that proportion to the successes; those using leisure harmfully contribute about the same percentage as does the entire group. The same is true with reference to the partial failures. Correlatively, while the proportion of total failures is 55.6%, the group using leisure "negatively" contribute 21.5% to that class, the group using leisure harmfully, 57.1%.⁵

TABLE 74

RELATION OF AGE AT FIRST KNOWN DELINQUENCY TO POST-PAROLE CRIMINALITY

<i>Age Groups</i>	<i>Criminal Class</i>							
	<i>Success</i>		<i>Partial Failure</i>		<i>Total Failure</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Under 11.....	4	9.5	7	16.7	31	73.8	42	100
11 to 13.....	17	13.3	21	16.4	90	70.3	128	100
14 to 16.....	35	23.0	21	13.8	96	63.2	152	100
17 and over.....	21	33.3	14	22.2	28	44.5	63	100
Total.....	77	20.0	63	16.3	245	63.7	385	100

Coefficient of contingency, .22.

Of the 385 cases involved in the above table, 20% were successful in avoiding the commission of crime. But both those who began their criminal activities under the age of eleven and those who were first delinquent between eleven and thirteen contribute appreciably smaller proportions of their respective totals to the successes (9.5% and 13.3%). Those who began their criminal careers between fourteen and sixteen or at seventeen or over, on the other hand, have a higher percentage of successes than the 20% noted above. This general indication that the earlier the first delinquencies, the smaller is the percentage of post-parole success is not so clear in the case of those who were only partial failures. There is, however, correlatively the same orderly progression with age among the total failures that we found in the successes; that is, the proportions of total failures progressively decline as we pass from the younger to the older groups.

Of the 344 cases involved in table 75, 18.3% were successful in avoiding criminal conduct. But those who had not been arrested before have as much as 50% of their total in the class of successes, while those with prior arrests contribute only 14.1% of their number thereto. Again, all the total failures compose 65.4% of the 344 cases involved, while those without prior arrests have 32.5% in that

⁵ It will be noted, however, that the entire number of those who could be graded as not harmfully using their leisure was but 14, as compared to the 326 who employed their time harmfully. This great difference probably invests the above percentages with a high degree of error.

TABLE 75

RELATION OF ARRESTS PRECEDING ARREST FOR WHICH SENTENCE TO REFORMATORY WAS IMPOSED TO POST-PAROLE CRIMINAL STATUS

<i>Prior Arrests</i>	<i>Criminal Class</i>							
	<i>Success</i>		<i>Partial Failure</i>		<i>Total Failure</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
No.....	20	50.0	7	17.5	13	32.5	40	100
Yes.....	43	14.1	49	16.1	212	69.8	304	100
Total.....	63	18.3	56	16.3	225	65.4	344	100

Coefficient of contingency, .29.

class, those with prior arrests 69.8%. Thus, there is an appreciable relationship between the status of the men regarding prior arrests and their status as regards post-parole criminality.

TABLE 76

FREQUENCY OF ARRESTS PRECEDING ARREST FOR WHICH SENTENCE TO THE REFORMATORY WAS IMPOSED, RELATED TO POST-PAROLE CRIMINAL STATUS

<i>Arrest Frequencies *</i>	<i>Criminal Class</i>							
	<i>Success</i>		<i>Partial Failure</i>		<i>Total Failure</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
One in less than 9 months..	16	12.1	15	11.3	101	76.6	132	100
One in 9 to 17 months. . .	15	14.0	17	15.9	75	70.1	107	100
One in 18 to 54 months. .	12	18.5	17	26.2	36	55.3	65	100
Total.....	43	14.2	49	16.1	212	69.7	304	100

Coefficient of contingency, .18.

* For the method of calculating frequency of prior arrests see Appendix B.

Of the 304 cases involved in the table, 14.2% were successful in avoiding the commission of crime. But the more frequent offenders (that is, those with one arrest in less than every nine months) contribute somewhat less than that proportion to the successes, while those with one arrest in every nine to seventeen months contribute more than that proportion, and those with one arrest in every eighteen to twenty-four months still more. Again, all the total failures compose 69.7% of the 304 cases involved. But the very frequent offenders contribute 76.6% to the class of total failures; the frequent, 70.1%; and the infrequent only 55.3%.

In table 77, the post-parole successes in avoiding crime compose 21% of the 413 cases involved. But those who had been non-offenders in the pre-Reformatory period contribute 64.3% to the post-parole successes; those who had been occasional minor offenders, 40.9%. On the other hand, both the serious and the continuous minor offenders of the pre-Reformatory period constitute appreciably fewer of the post-parole successes than the percentage contributed by the entire 413 cases. Again, of the 413 cases involved, 49.4% are serious offenders in the period following parole. But those who had been total failures by reason of conviction for serious offences during the pre-Reformatory period contribute 51.7% to the post-parole serious offenders. On the other hand, those who had been non-offenders in the pre-Reformatory period contribute but 21.4% to the post-parole serious offenders, those who had been occasional minor offenders before entering the Reformatory contribute 31.8%, and those who had been continual minor offenders, 40%. Finally, of the 413 cases involved in the table, the continual minor offenders in the period following parole compose 12.7%. But those who had been successful in avoiding crime in the pre-Reformatory period contribute not one case to the group of continuous minor offenders, and those who had been but occasional minor offenders contribute 4.6%. It is evident, therefore, that there is considerable association between the men's criminal conduct before they entered the Reformatory and their criminal conduct following release from parole.

TABLE 77

PRE-REFORMATORY CRIMINALITY RELATED TO POST-PAROLE CRIMINAL STATUS

<i>Pre-Reformatory Criminality</i>	<i>Post-Parole Criminality</i>									
	<i>Non- offender</i>		<i>Occasional Minor Offender</i>		<i>Serious Offender</i>		<i>Continual Minor Offender</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Non-offender.....	18	64.3	4	14.3	6	21.4	..	....	28	100
Occasional minor of- fender.....	9	40.9	5	22.7	7	31.8	1	4.6	22	100
Serious offender....	56	16.8	51	15.3	179	51.7	47	14.1	333	100
Continual minor of- fender.....	4	13.3	10	33.3	12	40.0	4	13.4	30	100
Total.....	87	21.0	70	16.9	204	49.4	52	12.7	413	100

Coefficient of contingency, .33.

The appreciable relationship between pre-Reformatory penal experience and post-parole criminality is apparent in table 78. Of the 377 cases involved, those who were successes in avoiding criminality in the period following parole constitute 20.9%. But 33.7% of those without penal experience prior to their Re-

TABLE 78

PRE-REFORMATORY PENAL EXPERIENCE RELATED TO POST-PAROLE CRIMINAL STATUS

<i>Pre-Reformatory Penal Experience *</i>	<i>Criminal Class</i>							
	<i>Success</i>		<i>Partial Failure</i>		<i>Total Failure</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
No.....	55	33.7	31	19.0	77	47.3	163	100
Yes.....	24	11.2	30	14.0	160	74.8	214	100
Total.....	79	20.9	61	16.1	237	63.0	377	100

Coefficient of contingency, .29.

* For the meaning of this see p. 146.

formatory commitment are successes, and only 11.2% of those with such experience. Again, of the 377 cases involved, the total failures from the point of view of post-parole criminality are 63%. But those without prior penal experience contribute only 47.3% to that class, while those with such experience have as high as 74.8% therein.

TABLE 79

AGE AT TIME OF SENTENCE TO REFORMATORY RELATED TO POST-PAROLE CRIMINAL STATUS

<i>Age Spans</i>	<i>Criminal Class</i>							
	<i>Success</i>		<i>Partial Failure</i>		<i>Total Failure</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
14 to 17.....	13	18.3	11	15.5	47	66.2	71	100
18 to 21.....	51	22.0	34	14.6	147	63.4	232	100
22 to 36.....	25	21.2	26	22.1	67	56.7	118	100
Total.....	89	21.1	71	16.8	261	62.1	421	100

Coefficient of contingency, .10.

The relatively low relationship between the age of the men at the time of their sentence to the Reformatory and their post-parole criminal status is evident. Of the 421 men involved, those who were successful in avoiding crime compose 21.1%; but essentially similar percentages of their respective numbers are contributed by each of the age-spans. Again, of the 421 men those who were total failures from the point of view of criminality compose 62.1%. But those who were from fourteen to seventeen years old at the time of sentence to the Reformatory contribute only a slightly higher percentage, those between twenty-two and thirty-six a slightly lower.

Table 80 indicates but a negligible association between success or failure after parole and the seriousness of the offence for which the men were committed to the Reformatory. This is shown by the fact that the major offenders have only a slightly lower incidence of successes and a slightly higher incidence of total failures than the minor.

TABLE 80

SERIOUSNESS OF OFFENCE FOR WHICH MEN WERE COMMITTED TO THE REFORMATORY, RELATED TO POST-PAROLE CRIMINAL STATUS

<i>Seriousness of Offence *</i>	<i>Criminal Class</i>							
	<i>Success</i>		<i>Partial Failure</i>		<i>Total Failure</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Major.....	77	21.7	62	17.5	215	60.8	354	100
Minor.....	12	25.0	9	18.7	27	56.3	48	100
Total.....	89	22.1	71	17.7	242	60.2	402	100

Coefficient of contingency, .05.

* See Appendix C for the distinction between major and minor offences.

TABLE 81

TYPE OF OFFENCE FOR WHICH MEN WERE COMMITTED TO REFORMATORY, RELATED TO POST-PAROLE CRIMINAL STATUS

<i>Type of Offence *</i>	<i>Criminal Class</i>							
	<i>Success</i>		<i>Partial Failure</i>		<i>Total Failure</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Burglary.....	25	18.4	20	14.7	91	66.9	136	100
Larceny.....	33	20.5	24	14.9	104	64.6	161	100
Robbery.....	7	15.5	10	22.2	28	62.3	45	100
Sexually Motivated Offences.....	9	29.0	7	22.5	15	48.5	31	100
Total.....	74	19.8	61	16.3	238	63.9	373	100

Coefficient of contingency, .12.

* Only those offences of which there were many were placed in separate classes for this purpose. There was too great a scattering among the remaining types of offences (in 49 cases) to be included in the above table; and in 88 more cases the post-parole criminal status was unknown. This leaves a balance of 373 cases on which the above table is based.

There is a surprisingly small association between the offences for which the men were committed to the Reformatory and their post-parole criminal status. Of the 373 cases involved in the table, those successful in avoiding crime com-

pose 19.8%. But the burglary and robbery groups contribute only slightly smaller proportions of their numbers to the successes, the sexual offenders an appreciably larger. Again, the partial failures compose 16.3% of the 373 cases involved, and while the burglary and larceny groups contribute slightly lower percentages, the robbers and sex offenders contribute appreciably higher. In the robbery group, however, the partial and total failures together compose 84.5%, while in the group of sex offenders they constitute 71%. Finally, the burglary, larceny, and robbery groups contribute about the same percentages to the total failures as do the entire 373 cases; but the sex offenders contribute appreciably less. Roughly, then, what an analysis of the above table indicates is that the robbers are a slightly worse risk, so far as continuance of crime in the post-parole period is concerned, than the burglars; the burglars are slightly worse than the larceny group; the larceny group is appreciably worse than the sex offenders. Nevertheless, the differences between these types of offenders, as is shown by the low coefficient, are much slighter than they are believed to be. This fact, together with the preceding finding as to the negligible association between the seriousness of the offence and post-parole criminality, has an important bearing on the question of whether society's present procedure of basing penal treatment on the type of crime committed is sound.⁶

TABLE 82

COMMISSION OF OFFENCE ALONE OR WITH OTHERS RELATED TO POST-PAROLE CRIMINAL STATUS

<i>Alone or With Others</i>	<i>Criminal Class</i>							
	<i>Success</i>		<i>Partial Failure</i>		<i>Total Failure</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Alone.....	33	19.8	22	13.4	111	66.8	166	100
With Others.....	52	22.5	44	19.0	135	58.5	231	100
Total.....	85	21.4	66	16.6	246	62.0	397	100

Coefficient of contingency, .10.

The table indicates but a negligible association between the factors involved. Of the 397 men included, those who were successes in avoiding criminal conduct compose 21.4%. Those who committed the offence for which they received sentence to the Reformatory alone contribute but a slightly smaller percentage of their number to the successes; those who committed the offence in company with others contribute a slightly higher proportion. Again, of the 397 cases involved, the combined classes of partial and total failures compose 78.6%. But those who committed the offence alone contribute only a slightly higher proportion (80.2%), those who committed it with others a slightly lower (77.5%).

⁶ See p. 295, where this question is discussed.

7. *Physical and Mental Factors*⁷

The following table presents the relationship between the physical condition of the men and their post-parole criminal status.

TABLE 83

PHYSICAL CONDITION AT ENTRANCE TO REFORMATORY RELATED TO POST-PAROLE CRIMINAL STATUS

<i>Physical Condition</i>	<i>Criminal Class</i>							
	<i>Success</i>		<i>Partial Failure</i>		<i>Total Failure</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Good *.....	13	25.5	7	13.7	31	60.8	51	100
Fair.....	70	24.4	60	21.0	156	54.6	286	100
Poor.....	..	....	..	....	27	100.0	27	100
Total.....	83	22.8	67	18.4	214	58.8	364	100

Coefficient of contingency, .24.

* For the definition of these terms, see p. 154, note 18.

The appreciably high relationship between the physical condition of the men on their entrance to the Reformatory and their post-parole criminal status is evident on analysis of the table. Of the 364 cases involved, those who were successful in avoiding criminal activity compose 22.8%. But both those in "good" and those in "fair" physical condition contribute slightly higher proportions of their respective numbers to the class of successes; those in poor condition contribute not one of their number thereto. Essentially the same situation exists with regard to the partial failures. Finally, the total failures, regardless of physical condition, compose 58.8% of the 364 cases involved, and those in "good" and "fair" physical condition contribute essentially similar proportions to the class of total failures, but those in "poor" condition are all in that class. It is to be noted, however, that those in "good" physical condition do not make a better showing than those in merely "fair" condition.

It will be seen from the next table that while there is some consistent relationship between mentality and post-parole criminality, the association is not high. The explanation of the fact that the borderline group has a lower percentage in the class of successes and higher percentages in the classes of partial and total failures than the moron or imbecile group is probably that the latter is more

⁷ Although the physical and mental examinations were made largely during the Reformatory, rather than pre-Reformatory, period, the findings pertain to the condition of the men on their entrance to the institution—that is, to the pre-Reformatory period—and are therefore included in this chapter rather than the next.

TABLE 84

RELATION OF INTELLIGENCE GRADE TO POST-PAROLE CRIMINAL STATUS

<i>Intelligence Grade</i>	<i>Criminal Class</i>							
	<i>Success</i>		<i>Partial Failure</i>		<i>Total Failure</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Normal *.....	34	27.0	19	15.0	73	58.0	126	100
Dull.....	24	24.0	13	13.0	62	62.0	99	100
Border line.....	13	14.8	17	19.3	58	65.9	88	100
Moron or imbecile †.	13	16.7	14	17.9	51	65.4	78	100
Total.....	84	21.5	63	16.1	244	62.4	391	100

Coefficient of contingency, .14.

* See p. 156 for the definition of these terms.

† This includes three cases graded imbecile, one of which was in the post-parole class of partial failures, two in the class of total failures.

easily detected and hence sheltered or prevented from continuing in criminality. As for the relation of the normal group to the others, it is as expected: the normal have a slightly higher percentage of their number among the successes, and lower percentages in the classes of partial and total failures, than the dull. But the differences between all the intelligence levels involved are less than one would look for.

TABLE 85

MENTAL DISEASE OR DISTORTION RELATED TO POST-PAROLE CRIMINAL STATUS

<i>Mental Disease or Distortion</i>	<i>Criminal Class</i>							
	<i>Success</i>		<i>Partial Failure</i>		<i>Total Failure</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
None.....	57	26.4	28	13.0	131	60.6	216	100
Psychopathic.....	4	6.7	11	18.3	45	75.0	60	100
Psychotic.....	1	2.4	4	9.8	36	87.8	41	100
Total.....	62	19.6	43	13.5	212	66.9	317	100

Coefficient of contingency, .26.

There is an appreciably high relationship between presence or absence of mental disease or distortion and post-parole criminality. Of the 317 men involved, those successful in avoiding crime compose 19.6%. But those without psychosis or psychopathic condition contribute 26.4% of their number to the

successes, while those with either of these states contribute far smaller proportions. Again, if one considers in combination those who were partial or total failures, the psychotic and psychopathic groups contribute appreciably higher percentages (97.6% and 93.3% respectively) to the failures than the 80.5% contributed by the entire 317 cases. Those without a mental disorder or distortion, on the other hand, have a slightly smaller proportion of their ranks in the failure classes. The psychopathic group is shown, also, to be a slightly better risk than the psychotic.

8. Summary and Discussion

From the foregoing detailed analysis of the relationship of various pre-Reformatory factors to the post-parole criminality of our men these points stand out:

1. In the following factors there was a relatively low coefficient of contingency (under .20⁸), and analysis of the tables disclosed a relatively low relationship with post-parole criminality. They may be regarded as related *slightly or not at all* to the continuance or non-continuance of criminality:

(a) Whether our young men were native-born of foreign or mixed parentage, or both parents and sons were foreign-born, or both native-born; (b) whether one or both of our young men's parents had had no education or a common school education; (c) whether the parents were economically dependent, marginal, or comfortable; (d) whether the parents had been criminal or law-abiding; (e) whether our young men were native-born or foreign-born; (f) whether they had moved about considerably in the pre-Reformatory period or had remained in one region; (g) whether they were Protestant, Catholic, or Hebrew; (h) whether they had attended church regularly or irregularly; (i) whether their pre-Reformatory attitude towards the family was good or bad; (j) whether they had left the parental roof when they were under fourteen years of age, or fourteen or over; (k) whether they had begun to work at under fifteen years of age, or at fifteen or over; (l) whether they were skilled, semi-skilled, or unskilled workers during the pre-Reformatory period; (m) whether their use of leisure was "negative" or harmful during the pre-Reformatory period; (n) whether, preceding their arrest for the offence for which they were sentenced to the Reformatory, they had been arrested as often as once in less than nine months, or once in from nine to seventeen months, or once in eighteen to fifty-four months; (o) whether, when sentenced to the Reformatory, they were from fourteen to seventeen years of age, or eighteen to twenty-one, or

⁸ "The significance of particular values of C (coefficient of contingency) can only be appreciated by experience of many cases" (A. L. Bowley, *Elements of Statistics*, fourth edition, 1920, p. 374). The analysis of the tables has indicated that a coefficient of between .15 and .20 can sometimes represent an apparently significant relationship between factors. But because probable errors have not been computed, it was decided to exclude from final consideration cases wherein the coefficient of contingency is less than .20.

twenty-two to thirty-six; (p) whether the offence for which they were sentenced was a major or a minor crime; (q) whether it was a burglary, larceny, or robbery, or a sexually motivated offence; (r) whether they had committed the offence alone or in company with others; (s) whether they were of normal intelligence, or classifiable as dull, borderline, or moron.

The above finding is not tantamount to saying that the listed factors had but little if anything to do with the *genesis* of delinquency or criminality in our group. *We are in this chapter not primarily concerned with the causes of crime, but with determination of the factors that make for continuance or non-continuance of criminality already entered upon, in the case of certain offenders.* It may well have been that such factors, to cite but a few, as the economic condition of parents, the mobility of families, whether our youths were of mixed, foreign, or native parentage, whether they had normal or abnormal intelligence, and so forth, played an important role in *criminogenesis*.⁹ They apparently had little if any influence, however, in determining whether or not graduates of the Reformatory (and of the parole system) would *continue* their criminal activities after the expiration of parole.

Some of the criminogenic factors may have been of such nature as to have spent their energy, as it were, by the time our boys were youths or men and had acquired experience in law-breaking, imprisonment, and parole. Other factors are such that their influence may well have continued up to and considerably beyond the time when our men completed their sentences. Others may have continued to exert some influence down to today, and may probably be expected to perpetuate their effects throughout the lives of our men, and even in their offspring. The factors detailed above, regardless of how significant they might have been in the etiology of crime, apparently had but little to do with its continuance or cessation in the post-parole period.

Our findings, then, do not justify the conclusion that those factors which are only slightly associated (if at all) with the post-parole conduct of former prisoners should not be included in the records of probation offices, social agencies, and other institutions concerned with the problem of crime. On the contrary, for the purpose of studying the causes of criminality, as many items in the developmental, physical, mental, and social history of delinquents and criminals as can be gathered and verified should be included in case histories. Among these, however, it will be found that only a certain number and kind of factors are significant from the point of view of foretelling the future conduct of offenders against the law. The remainder, as we have shown in Chapters VI and VII, as well as those used for prognostic purposes, may be of the utmost significance not only in the diagnosis of the causative factors at work in the misconduct of the individual offender, but in indicating the social conditions which contribute to delinquency.

⁹ See Chapters VI and VII.

2. Continuing our summary, the following pre-Reformatory factors, in which there was a coefficient of from .20 to .40 and in which analysis of the tables disclosed a clear relationship, may be regarded as *appreciably* associated with the continuance or non-continuance of criminality:

(a) Whether or not our men met their economic obligations; (b) whether they were first delinquent when under eleven years of age, or at eleven to thirteen, or fourteen to sixteen, or at seventeen or over; (c) whether or not our men had been arrested preceding arrest for the offence for which they were sentenced to the Reformatory; (d) whether they had committed serious or minor offences preceding the offence for which they were sentenced to the institution; (e) whether or not they had had penal experience preceding their imprisonment in the Reformatory; (f) whether the physical condition of our men when they entered the institution was good, fair, or poor; (g) whether or not they were mentally sound—that is, whether, from a psychiatric point of view, they were normal, psychopathic, or psychotic.

3. The following pre-Reformatory factor, in which there was a coefficient of .40 to .60, and in which analysis of the table showed a high association, may be regarded as *considerably* related to continuance or non-continuance of criminality: Whether our men's work habits were good, fair, or poor.

In the next chapter analysis is made of the relationship between certain other factors and post-parole criminality.

CHAPTER XVII

RELATION OF REFORMATORY, PAROLE, AND POST-PAROLE FACTORS TO POST-PAROLE CRIMINALITY

In the preceding chapter we analysed the relationship between a considerable number of pre-Reformatory factors in the lives of our men and the criminality of those men after parole. We shall now continue the analysis by taking up certain facts about their stay in the Reformatory, next those factors that became operative during their parole period, and finally the factors of the period following parole.

1. Reformatory Factors—Industrial

Considering first the period in the Reformatory, the tables in this section deal with certain industrial factors. The following table indicates the association between the type of worker a man was in the Reformatory and his post-parole criminal status.

TABLE 86

TYPE OF REFORMATORY WORKER RELATED TO POST-PAROLE CRIMINALITY

Type of Worker	Criminal Class							
	Success		Partial Failure		Total Failure		Total	
	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent
Good *.....	40	24.4	22	13.4	102	62.2	164	100
Fair or Poor.....	15	21.4	8	11.4	47	67.2	70	100
Total.....	55	23.5	30	12.8	149	63.7	234	100

Coefficient of contingency, .05.

* See p. 162, note 53, for the definition of these terms.

The reason for the low coefficient is evident from the table. Of the 234 men involved, 23.5% were successful in avoiding the commission of crime during the period following parole. But the good workers are only slightly more successful, the fair and poor workers slightly less. Similarly, the total failures from

the point of view of criminality compose 63.7% of the 234 cases involved in the table. But both the good and fair and the poor classes do not vary far from that percentage.¹

TABLE 87

NUMBER OF REFORMATORY OCCUPATIONAL EXPERIENCES RELATED TO POST-PAROLE CRIMINAL STATUS

No. of Different Occupational Experiences	Criminal Class							
	Success		Partial Failure		Total Failure		Total	
	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent
One.....	17	23.0	13	17.6	44	59.4	74	100
Two or Three.....	59	22.8	47	18.2	152	59.0	258	100
Four or more.....	12	13.6	11	12.5	65	73.9	88	100
Total.....	88	20.9	71	16.9	261	62.2	420	100

Coefficient of contingency, .12.

Of the 420 cases involved in the table, those who were successful in avoiding crime during the post-parole period compose 20.9%. But both those with only one occupational experience while they were in the Reformatory and those with two or three contribute slightly more than that percentage to the successful class. Those with four or more occupational experiences, on the other hand, contribute an appreciably smaller proportion. If one combines the partial and the total failures, both those with only one occupational experience and those with two or three have slightly smaller percentages of failure (77% and 77.2%, respectively) than the percentage of failures in the entire 420 cases (79.1%). Those with four or more occupational experiences, on the contrary, have an appreciably larger percentage of failures (86.4%). Hence the small relationship that does exist indicates that those who were afforded the greatest number of occupational opportunities at the Reformatory are the poorest in post-parole behaviour. This probably reflects a Reformatory practice of changing the more "difficult" inmates from occupation to occupation in an effort to find a place into which they will fit with the least friction.

2. Reformatory Factors — Conduct

The table at the top of the next page indicates the relationship between the conduct of the prisoners while in the Reformatory and their criminal status during the period following parole.

¹ If one separates the poor workers from the fair, the latter (26) make a better showing than either the good or the poor workers.

TABLE 88

WHETHER OR NOT MEN WERE OFFENDERS IN THE REFORMATORY RELATED TO POST-PAROLE CRIMINALITY

<i>Institutional Offender *</i>	<i>Criminal Class</i>							
	<i>Success</i>		<i>Partial Failure</i>		<i>Total Failure</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Yes.....	62	18.3	56	16.5	220	65.2	338	100
No.....	26	37.1	13	18.6	31	44.3	70	100
Total.....	88	21.5	69	16.9	251	61.6	408	100

Coefficient of contingency, .18.

* See pp. 158-159 for description of institutional offences.

Of the 408 cases involved in the table, those who were successes in avoiding the commission of crime compose 21.5%. But though the men who violated the rules of the Reformatory contribute only a slightly smaller proportion of their number to the class of successes, those who did not commit offences in the Reformatory contribute a considerably higher proportion. Again, while the proportion of total failures from the standpoint of criminality is 61.6%, the institutional offenders contribute slightly more to the class of total failures, the non-offenders appreciably less.

Pursuing this topic further, the next table presents the relationship between the frequency with which institutional offences were committed and the post-parole criminal status:

TABLE 89

FREQUENCY OF INSTITUTIONAL OFFENCES RELATED TO POST-PAROLE CRIMINALITY

<i>Frequency</i>	<i>Criminal Class</i>							
	<i>Success</i>		<i>Partial Failure</i>		<i>Total Failure</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Very frequent* or frequent	34	15.0	33	14.6	159	70.4	226	100
Occasional or none.....	54	41.9	36	27.9	39	30.2	129	100
Total.....	88	24.7	67	19.4	198	55.9	355	100

Coefficient of contingency, .36.

* For definitions of these terms see p. 159, note 40.

Of the 355 institutional offenders involved in the above table, those who were successful in avoiding crime during the post-parole period constitute 24.7%. But

the "very frequent" and the "frequent" offenders combined contribute an appreciably smaller proportion to the successes, while the successful class contains almost twice the percentage of occasional or non-offenders as is contributed to it by the entire 355 cases. Similarly, the occasional and non-offenders contribute a much smaller proportion (30.2%) to the total failures than that contributed by the other group or by the entire 355 cases. Even when the partial failures are added to the total failures, the occasional institutional offenders make a much better showing than the frequent.

TABLE 90

SERIOUSNESS OF INSTITUTIONAL OFFENCES RELATED TO POST-PAROLE CRIMINALITY

Grade of Seriousness	Criminal Class							
	Success		Partial Failure		Total Failure		Total	
	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent
Very serious *	20	14.9	15	11.2	99	73.9	134	100
Serious	31	20.2	30	19.4	93	60.4	154	100
Minor	11	22.0	11	22.0	28	56.0	50	100
None	26	37.2	13	18.6	31	44.2	70	100
Total	88	21.5	69	16.9	251	61.6	408	100

Coefficient of contingency, .23.

* For definitions of these terms see p. 159, note 39.

The appreciable relationship between the seriousness of institutional offences and post-parole criminality of offenders is apparent on analysis of the table. Of the 408 cases involved, those who were successes in avoiding criminality compose 21.5%. But the "very serious" institutional offenders contribute appreciably less to the successful class, the "serious" slightly less, the "minor" appreciably more. Again, of the 408 cases, 61.6% are total failures. But the very serious offenders contribute 73.9% to the class of total failures, the serious 60.4%; the minor institutional offenders contribute 56% to the class of total failures, and those who committed no offences in the Reformatory contribute only 44.2%.²

3. Reformatory Factors — Length of Time in the Institution

The table at the top of the next page presents the relationship between the length of time spent by the men in the Reformatory and their post-parole criminality.

It will be seen that there is a low but consistent relation between the length

² The coefficient of contingency between the seriousness of institutional offences and their frequency was found to be .45.

TABLE 91

LENGTH OF TIME IN THE REFORMATORY RELATED TO POST-PAROLE CRIMINAL STATUS

No. of Months in Reformatory	Criminal Class							
	Success		Partial Failure		Total Failure		Total	
	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent
Under 12.....	22	26.5	17	20.5	44	53.0	83	100
12 to 17.....	35	25.7	26	19.2	75	55.1	136	100
18 to 23.....	16	20.3	13	16.4	50	63.3	79	100
24 and over.....	16	12.9	15	12.1	93	75.0	124	100
Total.....	89	21.1	71	16.8	262	62.1	422	100

Coefficient of contingency, .18.

of time spent by the men in the Reformatory and their post-parole criminality. Thus, those who spent shorter periods of time have a greater proportion of their number among the successes and a smaller proportion among the total failures than those who were in the institution for longer periods or than the percentages contributed to these respective classes by the entire 422 cases involved. The explanation for the increasing percentage of failure in the classes who have been in the Reformatory longer is probably that the men of recognized criminal tendency are compelled to serve greater parts of their sentences in the institution than the others, as their parole permits are revoked more frequently. The reverse is true of those of lesser criminal tendency, who serve the larger part of their sentences on parole in the community rather than within prison walls.

We turn now to an analysis of the parole factors.

4. Parole Factors — Length of Time on Parole

The following table relates the length of time that the men were on parole to their post-parole criminality:

TABLE 92

LENGTH OF TIME ON PAROLE RELATED TO POST-PAROLE CRIMINAL STATUS

Time on Parole	Criminal Class							
	Success		Partial Failure		Total Failure		Total	
	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent
A year or more. . . .	48	24.2	36	18.2	114	57.6	198	100
Less than a year. . .	24	15.7	28	18.3	101	66.0	153	100
Total.....	72	20.5	64	18.2	215	61.3	351	100

Coefficient of contingency, .11.

A glance at the table is sufficient to show that the relationship between the time spent on parole and the post-parole criminal status is very slight. Those on parole for longer periods have a somewhat higher percentage among the successes and a correlatively lower percentage among the total failures than those on parole for less than a year or than the total 351 cases involved; but the percentages of partial failures are the same in all groups.

5. Parole Factors — Supervision

The next table presents the relationship between whether or not there was supervision during the parole period and post-parole criminality:

TABLE 93

SUPERVISION OR NO SUPERVISION RELATED TO POST-PAROLE CRIMINAL STATUS

<i>Parole Supervision</i>	<i>Criminal Class</i>							
	<i>Success</i>		<i>Partial Failure</i>		<i>Total Failure</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Yes.....	72	20.5	64	18.2	215	61.3	351	100
No.....	17	34.7	5	10.2	27	55.1	49	100
Total.....	89	22.2	69	17.2	242	60.6	400	100

Coefficient of contingency, .12.

There is an unexpectedly low relationship between whether or not a man had parole supervision and his criminality after parole; and the surprising finding is that those without supervision make a slightly better showing than those with supervision. The numbers in the unsupervised group are of course much smaller than those in the supervised, and this probably accounts to some extent for the low relationship. But, making due allowance for that fact, there is not that outstanding and definite difference in success that one would expect to find in favour of those who had the benefits of parole supervision.

It will also be seen (Table 94) that there is but a low relationship between the frequency of parole visits and post-parole criminality. Those who were visited more frequently do slightly better than the 351 cases as a whole or than those who received but one parole visit in every period of six or more months.

Table 95 throws some light on the question of whether there are any appreciable differences in the parole and post-parole conduct of the men under the supervision of the various parole officers.

TABLE 94
FREQUENCY OF SUPERVISORY VISITS RELATED TO POST-PAROLE CRIMINAL STATUS

Frequency	Criminal Class							
	Success		Partial Failure		Total Failure		Total	
	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent
1 parole visit in less than 6 months.....	15	22.7	14	21.2	37	56.1	66	100
1 parole visit in 6 months or over.....	57	20.0	50	17.5	178	62.5	285	100
Total.....	72	20.5	64	18.2	215	61.3	351	100

Coefficient of contingency, .06.

TABLE 95
PAROLEES' CONDUCT ON PAROLE AND DURING POST-PAROLE PERIODS, RELATED TO INDIVIDUAL PAROLE OFFICERS WHO SUPERVISED THEM

Parole Officer Number *	Post-Parole Criminal Conduct								Conduct During Parole							
	Success		Partial Failure		Total Failure		Total		Success		Partial Failure		Total Failure		Total	
	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent
1	9	18.7	7	14.6	32	66.7	48	18.4	14	26.9	10	19.2	28	53.9	52	19.4
2	6	15.0	10	25.0	24	60.0	40	15.4	10	21.3	11	23.4	26	55.3	47	17.5
3	7	21.2	6	18.2	20	60.6	33	12.7	11	31.4	5	14.4	19	54.2	35	13.1
4	14	23.4	15	25.1	31	51.6	60	23.1	21	36.3	8	13.7	29	50.0	58	21.6
5	15	22.7	11	16.7	40	60.6	66	25.3	17	26.6	12	18.7	35	54.7	64	23.8
6	1	....	0	....	2	....	3	1.2	0	....	0	....	2	....	2	.8
7	2	....	0	....	5	....	7	2.7	2	....	0	....	3	....	5	1.8
8	0	....	0	....	3	....	3	1.2	0	....	0	....	5	....	5	1.9
Total †....	54	....	49	....	157	....	260	100.	75	....	46	....	147	....	268	100

* The names of the parole officers are not given, for obvious reasons.
† The post-parole and parole criminal-conduct judgments are not the same in number for the reason that in some of the post-parole group the criminal conduct was unknown, but was known in the parole period.

Two points stand out in this table: (1) There is a remarkable uniformity in the percentage of total failures recorded in both the parole and post-parole periods in all cases except those of parole officer number 4, whose parolees have an appreciably lower failure rate, and a higher success rate, than those of his colleagues. (2) The percentage of total failures is consistently, though but slightly, lower in the parole period than it is during the post-parole stage, and, correlatively, the percentage of successes is higher during parole than thereafter.

While the figures are small, and therefore probably affected with a

considerable margin of error, it is not likely that the two points noted are entirely attributable to chance. The figures would seem to indicate (1) that the effect of parole supervision on subsequent conduct was not lasting, and (2) that, except as to one officer whom we found to be unusually able, it made but little difference which parole officer supervised the parolees.

6. Parole Factors—Relation Between Parole and Post-Parole Criminality

To what extent do persons who while on parole are successes, partial failures, or total failures, so far as criminality is concerned, run true to form during the post-parole period? The question is of importance in the evaluation of existing "follow-up studies" which limit the inquiry to the parole period only.³

TABLE 96

RELATION OF PAROLE CRIMINAL STATUS TO POST-PAROLE CRIMINAL STATUS

Parole Criminality	Post-Parole Criminality							
	Success		Partial Failure		Total Failure		Total	
	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent
Success.....	56	50.9	21	19.1	33	30.0	110	100
Partial Failure.....	9	25.7	15	42.9	11	31.4	35	100
Total Failure.....	16	9.4	23	13.4	132	77.2	171	100
Total.....	81	25.6	59	18.6	176	55.8	316	100

Coefficient of contingency, .47.

While the coefficient is considerable, it is not high enough to enable us to ignore, as studies hitherto have done, the *post-parole* life of ex-prisoners. If the association between the parole and the post-parole criminal conduct of the men was as high, say, as .65 or .70, then future research-workers would be justified in ignoring the post-parole history of criminals when making follow-up studies.

In the following sections of this chapter we pursue the analysis further by investigating the relationship between post-parole behaviour of a non-criminal nature and post-parole criminality.

7. Post-Parole Factors—Mobility, Church Attendance, Family Relationships

The table at the top of the next page relates the post-parole status of the men as regards mobility to their post-parole status regarding criminality.

³ See, for example, the recent study by Bruce, Harno, Burgess, and Landesco, *Workings of the Indeterminate-Sentence Law and the Parole System in Illinois* (1928).

TABLE 97
POST-PAROLE MOBILITY RELATED TO POST-PAROLE CRIMINAL STATUS

Mobility *	Criminal Class							
	Success		Partial Failure		Total Failure		Total	
	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent
Yes.....	16	9.0	27	15.0	135	76.0	178	100
No.....	72	32.3	44	19.7	107	48.0	223	100
Total.....	88	21.9	71	17.7	242	60.4	401	100

Coefficient of contingency, .30.

* For the meaning of this term as used in this study see p. 129, note 6.

It will be remembered that the relation of *pre-Reformatory* mobility to the post-parole criminality of our men was nil.⁴ Post-parole mobility, however, appears to bear an appreciable relation to post-parole criminality. Thus, of the 401 cases involved in the table, 21.9% are successful in avoiding the commission of crime during the post-parole period. But the group in which there was excessive mobility contribute only 9% to the class of successes, while those in which there was no moving about contribute 32.3%. Again, of the 401 cases involved, 60.4% are total failures as regards post-parole crime. But the mobile group contribute 76% to the failure class, the non-mobile only 48%.

TABLE 98
POST-PAROLE CHURCH ATTENDANCE RELATED TO POST-PAROLE CRIMINAL STATUS

Church Attendance	Criminal Class							
	Success		Partial Failure		Total Failure		Total	
	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent
Regular *.....	24	33.8	24	33.8	23	32.4	71	100
Irregular.....	17	27.4	12	19.4	33	53.2	62	100
None.....	14	20.9	9	13.4	44	65.7	67	100
Total.....	55	27.5	45	22.5	100	50.0	200	100

Coefficient of contingency, .27.

* See pp. 131 and 209, note 10, for the definition of these terms.

Here again, while the relation of *pre-Reformatory* church attendance to post-parole criminality was negligible,⁵ there is an appreciable relationship between

⁴ See p. 243.

⁵ See p. 243.

post-parole church attendance and post-parole criminal conduct. Thus, whereas the successes in avoiding the commission of crime compose 27.5% of the 200 cases involved, the regular church-goers contribute 33.8% to the successful class, the irregular 27.4%; the non-church-goers contribute 20.9%. Similarly, the proportion of total failures progressively increases as one passes through the three grades — regular church-goers, irregular, and non-attendants.

TABLE 99

POST-PAROLE FAMILY RELATIONSHIP AND POST-PAROLE CRIMINAL STATUS

Family Relationship	Criminal Class							
	Success		Partial Failure		Total Failure		Total	
	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent
Good *.....	52	77.7	8	11.9	7	10.4	67	100
Fair.....	25	22.7	30	27.3	55	50.0	110	100
Poor.....	2	1.5	18	13.2	116	85.3	136	100
Total.....	79	25.2	56	17.9	178	56.9	313	100

Coefficient of contingency, .58.

* See p. 205 for the definition of these terms.

The coefficient of contingency between the post-parole family relationship of our men and their post-parole criminality is the highest thus far found. Analysis of the table indicates some striking associations. Thus, while the successes compose 25.2% of the 313 cases involved, those of good family relations contribute 77.7% of their number to that class, those of poor attitude only 1.5%. Correlatively, while the total failures compose 56.9% of the 313 cases involved, those of good relationship have only 10.4% of their number in that class, those of fair relationship 50%, those of poor relationship the high proportion of 85.3%. Here again it should be mentioned that the *pre-Reformatory* family relationship was but slightly associated with post-parole criminality,⁶ and the reader is reminded that not a single case could in the pre-Reformatory stage be placed in the "good" attitude group so far as family relationship is concerned.

8. Post-Parole Factors — Marital Status

The next three tables concern the problem of the relation between marital condition and post-parole criminality.

⁶ See p. 244.

TABLE 100
MARITAL COMPATIBILITY RELATED TO POST-PAROLE CRIMINAL STATUS

Compatibility	Criminal Class							
	Success		Partial Failure		Total Failure		Total	
	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent
Compatibly married.....	62	50.8	27	22.2	33	27.0	122	100
Incompatibly.....	1	3.1	5	15.6	26	81.3	32	100
Not living together.....	2	4.2	8	16.6	38	79.2	48	100
Total.....	65	32.2	40	19.8	97	48.0	202	100

Coefficient of contingency, .49.

The relation between post-parole marital compatibility and post-parole criminality is shown to be considerable. Thus, while the successes compose 32.2% of the 202 cases involved, the compatibly married group have the high proportion of 50.8% of their number in that class; but the two other groups have only negligible percentages therein. Correlatively, while the total failures compose 48% of the 202 cases involved, the compatibly married group contribute but 27% of their number to the total failures; the two other groups contribute much higher percentages.

Pursuing this topic further, the next table relates post-parole criminality to compatible marriages as opposed to bachelorhood:

TABLE 101
RELATION OF MARITAL COMPATIBILITY OR BACHELORHOOD TO POST-PAROLE CRIMINAL STATUS

Compatibly Married or Single	Criminal Class							
	Success		Partial Failure		Total Failure		Total	
	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent
Compatibly married.....	62	50.8	27	22.1	33	27.1	122	100
Single.....	24	12.3	28	14.3	143	73.4	195	100
Total.....	86	27.1	55	17.3	176	55.6	317	100

Coefficient of contingency, .43.

The considerable relationship between whether the men were compatibly married or were unmarried during the post-parole period and their post-parole criminal status is evident from the table. Thus, while the successes compose

27.1% of the 317 cases involved, the compatibly married group have 50.8% of their number in that class, the unmarried only 12.3%. Again, while the total failures compose 55.6% of the 317 cases, the compatibly married have but 27.1% in the class of total failures, the unmarried 73.4%.

By way of complement to the foregoing, the next table relates post-parole criminality to whether the men were *incompatibly* married or single:

TABLE 102

RELATION OF MARITAL INCOMPATIBILITY OR BACHELORHOOD TO POST-PAROLE CRIMINAL STATUS

<i>Incompatibly Married or Unmarried</i>	<i>Criminal Class</i>							
	<i>Success</i>		<i>Partial Failure</i>		<i>Total Failure</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Incompatibly married....	3	3.8	13	16.2	64	80.0	80	100
Single.....	24	12.3	28	14.3	143	73.4	195	100
Total.....	27	9.8	41	14.9	207	75.3	275	100

Coefficient of contingency, .13.

While the relationship between marital compatibility or bachelorhood and post-parole criminality was found to be considerable, that between marital *incompatibility* or bachelorhood and post-parole criminal conduct is seen to be small, with the scales tilted slightly in favour of those not married. In other words, while it makes considerable difference, so far as post-parole criminality is concerned, whether a man is compatibly married or single, it makes little difference whether he is incompatibly married or single.

TABLE 103

RELATION OF NUMBER OF CHILDREN IN THE MARRIED GROUP TO POST-PAROLE CRIMINAL STATUS

<i>Number of Children</i>	<i>Criminal Class</i>							
	<i>Success</i>		<i>Partial Failure</i>		<i>Total Failure</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
3 or more.....	28	66.6	1	2.4	13	31.0	42	100
1 or 2.....	30	30.6	23	23.5	45	45.9	98	100
None.....	14	31.2	12	26.7	19	42.1	45	100
Total.....	72	39.0	36	19.5	77	41.5	185	100

Coefficient of contingency, .22.

There is an appreciable relation between the number of children and post-parole criminality, the nature of which is evident only upon analysis of the table. Thus, while the successes compose 39% of the 185 cases involved, the men with three or more children have as many as 66.6% of their number in that class; both of the remaining groups have considerably less. Again, if one combines the partial and total failures, 61% of the entire 185 men, regardless of number of children, must be counted as failures. But those with three or more children have only 33.4% in the failure classes, while those with one, two, or no children have considerably higher proportions therein. Since the men having the most children are probably in general older, and hence more settled, than those having fewer or none, the large percentage of successes among the former is possibly due to that fact.

9. Post-Parole Factors—Home and Neighbourhood

The next table relates the types of post-parole homes of our men to their post-parole criminal status:

TABLE 104

TYPE OF HOME RELATED TO POST-PAROLE CRIMINAL STATUS

Type of Home	Criminal Class							
	Success		Partial Failure		Total Failure		Total	
	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent
Favourable *	42	59.1	12	16.9	17	24.0	71	100
Fair	34	28.6	33	27.7	52	43.7	119	100
Unfavourable	3	3.2	10	10.8	80	86.0	93	100
Total	79	27.9	55	19.4	149	52.7	283	100

Coefficient of contingency, .48.

* See p. 201, note 20, for definitions of these terms as used herein.

The considerable relationship between the type of post-parole home and post-parole criminality is evident from the table. Thus, while the successes compose 27.9% of the 283 cases involved, those with favourable homes have 59.1% in the success class; those with fair homes have a slightly higher percentage than the total; and those with unfavourable homes have the low proportion of 3.2%. Again, while the total failures compose 52.7% of the 283 cases involved, the group with favourable homes have but 24% in the class of total failures, those with fair homes 43.7%, those with unfavourable homes as high a proportion as 86%.

TABLE 105

TYPE OF NEIGHBOURHOOD RELATED TO POST-PAROLE CRIMINAL STATUS

Type of Neighbourhood	Criminal Class							
	Success		Partial Failure		Total Failure		Total	
	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent
Favourable *.....	34	59.6	11	19.3	12	21.1	57	100
Fair.....	36	31.0	28	24.1	52	44.9	116	100
Unfavourable.....	9	8.2	16	14.6	85	77.2	110	100
Total.....	79	27.8	55	19.4	149	52.8	283	100

Coefficient of contingency, .43.

* See p. 201, note 21, for definitions of these terms as used herein.

A considerable relationship between the type of neighbourhood the men lived in during the post-parole period and their post-parole criminality is indicated by the table. Thus, while the successes constitute 27.8% of the 283 cases involved, those living in favourable neighbourhoods have 59.6% in the success class, those in fair neighbourhoods 31%, those in unfavourable neighbourhoods only 8.2%. Again, while the total failures compose 52.8% of the 283 cases, the favourable group have only 21.1% in the class of total failures, the fair group 44.9%, the unfavourable as high a proportion as 77.2%.

10. Post-Parole Factors — Industrial and Economic

The next table relates post-parole criminality to whether or not the occupations taught the men in the Reformatory were actually used by them at any time during the post-Reformatory period:

TABLE 106

RELATION OF USE OR NON-USE OF REFORMATORY OCCUPATIONS TO POST-PAROLE CRIMINAL STATUS

Use of Occupations	Criminal Class							
	Success		Partial Failure		Total Failure		Total	
	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent
Yes.....	41	25.6	33	20.6	86	53.8	160	100
No.....	48	18.3	38	14.5	176	67.2	262	100
Total.....	89	21.1	71	16.8	262	62.1	422	100

Coefficient of contingency, .13.

The low relationship between use or non-use of occupations in which the men had had some experience in the Reformatory and their post-parole criminal status is evident from a glance at the table. It shows that those who at some time during the post-Reformatory period used the occupations taught in the Reformatory made a slightly better showing in conduct than those who failed to use such occupations.

TABLE 107
RELATION OF POST-PAROLE INDUSTRIAL SKILL TO POST-PAROLE CRIMINAL STATUS

Industrial Skill	Criminal Class							
	Success		Partial Failure		Total Failure		Total	
	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent
Skilled *	29	43.3	12	17.9	26	38.8	67	100
Semi-skilled	41	25.3	38	23.4	83	51.3	162	100
Unskilled	17	11.3	20	13.3	113	75.4	150	100
Total	87	22.9	70	18.4	222	58.7	379	100

Coefficient of contingency, .24.

* For the definition of these terms, see p. 114, note 8.

An appreciable relationship between the degree of post-parole industrial skill and post-parole criminality is indicated by the table. While the successes constitute 22.9% of the 379 cases involved, the skilled workers contribute 43.3% to the success class, the semi-skilled 25.3%, and the unskilled but 11.3%. Again, while the total failures compose 58.7% of the 379 cases, the skilled group contribute 38.8%, the semi-skilled 51.3%, and the unskilled 75.4%. The coefficient of contingency between *pre-Reformatory* industrial skill and post-parole criminality was found to be .17.⁷

TABLE 108
POST-PAROLE WORK HABITS RELATED TO POST-PAROLE CRIMINAL STATUS

Work Habits	Criminal Class							
	Success		Partial Failure		Total Failure		Total	
	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent
Good *	57	58.2	22	22.4	19	19.4	98	100
Fair	4	5.4	21	28.4	49	66.2	74	100
Poor	1	.8	8	6.9	107	92.3	116	100
Total	62	21.5	51	17.7	175	60.8	288	100

Coefficient of contingency, .59.

* For the definition of these terms see p. 135, note 25. 7 See p. 246.

The high association between post-parole work habits and post-parole criminality is apparent on analysis of the table. The successes constitute 21.5% of the 288 cases involved; but those of good work habits contribute as high as 58.2% of their number to the success class, the fair and poor workers considerably less than either of the percentages stated. Again, while the total failures compose 60.8% of the 288 cases, those of good habits have but 19.4% in the class of total failures, those of poor habits 92.3%. There is a much greater difference in rates of success and failure between the good and the fair workers than between the latter and the poor workers. While not so high as the association between post-parole work habits and post-parole criminality, the *pre-Reformatory* status in regard to work habits was nevertheless considerably related to the post-parole criminal status of the men.⁸

TABLE 109

POST-PAROLE ECONOMIC STATUS RELATED TO POST-PAROLE CRIMINAL STATUS

<i>Economic Status</i>	<i>Criminal Class</i>							
	<i>Success</i>		<i>Partial Failure</i>		<i>Total Failure</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Dependent *.....	1	2.1	8	17.0	38	80.9	47	100
Marginal.....	47	17.1	52	18.9	175	64.0	274	100
Comfortable.....	32	82.1	4	10.2	3	7.7	39	100
Total.....	80	22.2	64	17.8	216	60.0	360	100

Coefficient of contingency, .44.

* See p. 113, note 4, for the meaning of these terms.

A considerable relationship between post-parole economic status and post-parole criminality is evident on analysis of the table. The successes compose 22.2% of the 360 cases involved; but the economically dependent group have only one case in the success class, the marginal have 17.1% of their number, the comfortable 82.1%. Again, while the total failures constitute 60% of the 360 cases, the dependent group have 80.9% of their number in the class of total failures, the comfortable group have only 7.7% of their number therein. The coefficient of contingency between *pre-Reformatory* economic condition (largely that of the parents of our men) and the post-parole criminal status of the ex-prisoners was only .13.⁹

⁸ See p. 245. The coefficient of contingency was .42.⁹ See p. 240.

TABLE 110

POST-PAROLE ECONOMIC RESPONSIBILITY RELATED TO POST-PAROLE CRIMINALITY

<i>Economic Responsibility</i>	<i>Criminal Class</i>							
	<i>Success</i>		<i>Partial Failure</i>		<i>Total Failure</i>		<i>Total</i>	
	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>
Good *.....	27	87.2	2	6.4	2	6.4	31	100
Fair.....	38	25.2	33	21.8	80	53.0	151	100
Poor.....	..	....	15	14.9	86	85.1	101	100
Total.....	65	23.0	50	17.7	168	59.3	283	100

Coefficient of contingency, .53.

* See p. 200 for the definition of these terms.

The high relationship between post-parole economic responsibility and post-parole criminality is evident. Of the 283 cases involved, 23% were successes in avoiding the commission of crime during the post-parole period. But those who met their economic obligations (the "good") contributed the high proportion of 87.2% to the success group, those who met their responsibilities only partially (the "fair") contributed 25.2%, those who completely failed to assume their economic obligations (the "poor"), not a single case. Again, of the 283 cases, the total failures from the standpoint of avoidance of crime compose 59.3%. But the "good" group contribute only 6.4% thereto, the "fair" contribute 53%, the "poor" 85.1%. The association between *pre-Reformatory* economic responsibility and post-parole criminal status, while not nearly so high as the relationship here set forth, was still represented by the appreciable coefficient of .27.¹⁰ Not one case, however, could in the pre-Reformatory period be designated as "good" in meeting economic responsibility.

11. Post-Parole Factors — Use of Leisure

The last factor to be related to post-parole criminality is the use of leisure, presented in the table on the next page.

A considerable relationship between post-parole use of leisure and post-parole criminal status is evident. The successes compose 24.7% of the 340 cases involved; but 10 of the 12 whose use of leisure could be designated "constructive" are in the successful class. There is also a very high proportion in that class of those whose use of leisure, though not constructive, was classifiable as at least "negative"; while not a single one of the 210 cases in which there was "harmful" use of leisure is in the successful class. Analysis of the total failures

¹⁰ See p. 247.

TABLE III

POST-PAROLE USE OF LEISURE RELATED TO POST-PAROLE CRIMINALITY

Use of Leisure	Criminal Class							
	Success		Partial Failure		Total Failure		Total	
	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent
Constructive *.....	10	83.3	2	16.7	...	....	12	100
Negative.....	74	62.7	26	22.1	18	15.2	118	100
Harmful.....	..	....	39	18.5	171	81.5	210	100
Total.....	84	24.7	67	19.7	189	55.6	340	100

Coefficient of contingency, .46.

* See p. 209 for the meaning of these terms.

tells a similar story. While they compose 55.6% of the 340 men involved, not a single case of those using their leisure "constructively" is to be found in the class of total failures, and only 15.2% of those using their leisure "negatively" are therein; but the high proportion of 81.5% of those who used their leisure harmfully are total failures in criminal conduct. The coefficient of contingency between *pre-Reformatory* use of leisure and post-parole criminality was only .14;¹¹ and not a single youth employed his leisure constructively in the pre-Reformatory period.

12. Summary

Continuing the discussion of the preceding chapter, we have herein related a considerable number of Reformatory, parole, and post-parole factors to the status of the men as regards post-parole criminality, with the following results:

1. The following factors, in which there was a relatively low coefficient of contingency (under .20) and in which analysis of the tables disclosed a relatively low relationship to post-parole criminality, may be regarded as slightly, or not at all, associated with continuance or non-continuance of criminality:

(a) Whether our young men were judged in the Reformatory to be good, fair, or poor workers; (b) whether they were there given one, two or three, or four or more different occupational experiences ("try-outs"); (c) whether or not they offended against the rules of the institution; (d) whether they remained in the Reformatory less than twelve months, or twelve to seventeen months, or eighteen to twenty-three months, or twenty-four or more months; (e) whether they were on parole a year or more, or less than a year; (f) whether, while on parole, they were supervised or not supervised; (g) whether the parole

¹¹ See p. 247.

visits to the men were as often as once in less than six months or once in six months or over; (h) whether one parole officer or another supervised them; (i) whether, during the post-parole period, they were not married at all, or incompatibly married; (j) whether, during that period, they used or failed to use the occupations taught them in the Reformatory.

2. The following factors, in which there was a coefficient of from .20 to .40 and in which analysis of the tables disclosed a clear relationship, may be regarded as *appreciably* associated with continuance or non-continuance of criminality:

(a) Whether the prisoners were frequent or very frequent offenders against the rules of the Reformatory, or occasional offenders or non-offenders; (b) whether they committed very serious, serious, minor or no offences at the Reformatory; (c) whether or not the men moved about considerably during the post-parole period; (d) whether they attended church regularly, irregularly, or not at all; (e) whether, if married, they had three or more children, one or two, or none; (f) whether they were skilled, semi-skilled, or unskilled workers during the post-parole period.

3. The following factors, in which there was a coefficient of .40 to .60 and in which analysis of the table showed a high relationship, may be regarded as *considerably* associated with continuance or non-continuance of criminality in the post-parole period:

(a) Whether, during the parole period, the men were successes so far as criminal conduct is concerned, or partial failures, or total failures; (b) whether, during the post-parole period, family relationships were good, fair, or poor; (c) whether, during the post-parole period, they were compatibly married or single; (d) whether their homes were favourable, fair, or unfavourable; (e) whether the neighbourhood they resided in during the post-parole period was favourable, fair, or unfavourable; (f) whether their post-parole work habits were good, fair, or poor; (g) whether, in the post-parole period, they were economically dependent, "marginal," or comfortable; (h) whether, as to post-parole economic responsibility, they were good, fair, or poor; (i) whether, during the post-parole period, their use of leisure was constructive, negative, or harmful.

In Chapter XVIII, which follows, these findings as to the relationship of the various significant factors in the lives of the men to their continuance in or avoidance of criminality after the completion of parole will serve as a basis for prognostic devices to be used by judges and parole boards in the scientific administration of criminal justice.

CHAPTER XVIII

PREDICTABILITY IN THE ADMINISTRATION OF CRIMINAL JUSTICE¹

FOREWORD BY DEAN ROSCOE POUND

Not the least interesting of present-day movements in jurisprudence is the renewed quest for certainty after the reaction from the formal certainty of nineteenth-century law. In the last century we had looked at the general security from the standpoint of security against the arbitrary action of magistrates and abuse of prosecuting machinery by officials, rather than from the standpoint of security of society against the conduct of offenders. In effect we had sought to put the social interest in the individual life in terms of the general security. It is the task of the criminal law to discover and mark out the lines of a wise adjustment or practical compromise between the general security and the individual life. In the humanitarian thinking of the eighteenth century, stress was put upon the individual life, and until recently that interest in effect had preponderant recognition. The whole apparatus of criminal justice was shaped by the quest for means of ensuring an abstractly uniform, outwardly mechanical administration. The superseding of the common-law principle as to misdemeanours by a doctrine of *nulla pœna sine lege*, minutely defined degrees of crime, and exact statutory penalties worked out in detail for minutely differentiated offences, tied tribunals down rigidly in appearance, while all sorts of mitigating devices parallel with them and running through the whole course of a prosecution tempered them in action.

Inevitably there was a reaction from the futile, cast-iron, prescribed penal treatment characteristic of the last century. A movement for individualization on every side of the law took, in criminal justice, the form of a development of individualized penal treatment which was to make the penal treatment fit the criminal rather than the punishment fit the crime. But this movement for individualization and for preventive justice has itself brought about a reaction. On the one hand, it has seemed to threaten the general security. Men have come to fear that in our zeal to secure the individual life we may relax the hold of society upon the antisocial, impair the fear of the legal order as a deterrent upon

¹ The substance of this chapter appeared as an article in the *Harvard Law Review*, Vol. XLII, No. 3, (January, 1929), pp. 297-329 (reprinted in the *Mental Hygiene*, Vol. XIII, No. 4, October, 1929, pp. 678 et seq.) with the foreword by Dean Roscoe Pound, of the Harvard Law School.

antisocial conduct, and release habitual offenders prematurely to resume their warfare upon society. On the other hand, it has seemed to threaten the security of the individual life by committing too much to the discretion of administrative officers.

At the moment, reaction from administrative justice, the chief agency of individualization, and from the modes of thought and procedure which it involves, is to be seen in every field of the law. Everywhere we are seeking a real certainty as distinguished from the illusory certainty of the nineteenth century. In juristic thinking there is the revived analytical jurisprudence which, starting from fixed assumptions, is to proceed with mathematical assurance. In Continental Europe there is the "pure science of law" which seeks to give "clarity and rigour" to the phenomena of the legal order by excluding all interpretation and application. In criminal law there is the positivist movement, with its reliance upon research and observation and scientific formulation. Bergson taught us the relation of "instinct" to administrative action. He showed us that there are things which can be done only through the trained habits of experienced administrators. Yet their instinct may be guided toward more assured results by formulas scientifically worked out on the basis of exact observation. As the emphasis yesterday was upon this trained instinct, the emphasis today is upon the means of guiding it and upon research as a forerunner thereof.

This study by Doctor and Mrs. Glueck comes at an opportune time. When fifty years ago Massachusetts enacted the original probation law, the first stone of the edifice of preventive justice was well laid. In the present century for a time there was a rapid development which has set penal legislation and administration in a direction it must keep for a long time to come. But over-enthusiasm in the decades of progressivism, inadequate provision for administration of the new devices, the necessarily experimental character of some of them, leaving many things to be worked out by trial and error, and the strain put upon the whole machinery of criminal justice by post-war conditions in our large cities, have brought all the agencies of preventive criminal justice under suspicion. Study of the means of ensuring that the results of probation and kindred devices of individualized penal treatment may be made reasonably predictable is not merely in the right line of legal thought of today, it is needed to save for us one of the really epoch-making discoveries of American legal history. Let it once be made clear that probation laws may be administered with a reasonable assurance of distinguishing between the sheep and the goats, let it be shown that the illusory certainty of the old system may be replaced by a regime of reasonably predictable results as compared with one of merely predictable sentence, and the paths of a modern penal treatment will be made straight. I venture to think that Doctor and Mrs. Glueck have made a noteworthy step in this direction.

1. *Introductory Comments*

Workers in the fields of criminology and penology, as well as far-sighted lawyers and judges, have occasionally conceived of the need for some prognostic instrument whereby they might be enabled to predict with reasonable certainty the future history of various types of criminal offenders.² The probable value of such a device cannot be sufficiently emphasized. It would make the process of criminal justice articulate. It would compel judges to think in terms of the future results of the dispositions they make of the cases before them for sentence. It would furnish some objective, scientific guide for their sentencing function. Such an instrument would, for example, enable judges to decide, with much more wisdom than is manifest today, what types of criminals might be expected to do well on probation, which offenders are more suited to different forms of institutional control, and how to deal with various types of recidivists.

A prognostic device would likewise prove of great value to a parole board in determining in a specific case whether a prisoner should be released on parole—that is, whether, according to past experience with similar cases, he will probably do well on parole and thereafter. Practically, it would aid such a board in deciding whether a prisoner should be paroled for an entirely indeterminate period or only for a brief span sufficient to bridge the gap between the penal institution and unsupervised freedom. It would, moreover, be of value in determining the type of parole supervision best adapted for certain cases.

In addition, such an instrument of predictability would be of great value to social workers and forward-looking legislators in establishing beyond cavil the actual value of existing punitive or reformatory institutions and devices, and in suggesting practical needs and modifications. Finally, a prognostic device scientifically conceived and executed would be extremely useful in the study of crime causation and in suggesting needed experimentation with new correctional methods.

Can such an instrument be devised? ³ If so, how would it actually be utilized by judges and parole boards? Would it be really practicable? Answers to these questions are attempted in the following pages.

² So far as we have been able to ascertain, Hornell Hart was the first person to suggest the possibility of adapting to penology the methods used in the insurance field for predictability. See Hart, "Predicting Parole Success," *Journal of the American Institute of Criminal Law and Criminology*, Vol. XIV, No. 3, (November 1923), pp. 405 et seq.

³ See BRUCE, HARNO, BURGESS, AND LANDESCO, *Workings of the Indeterminate-Sentence Law and the Parole System in Illinois* (1928), Chap. XXX. Professor Burgess attempts to answer the question "Can scientific methods be applied to parole administration?" He presents a table of "Expectancy Rates of Parole Violation and Non-Violation." There are, however, a number of fundamental weaknesses in his device: (1) While the report of the committee does not clearly indicate just how the social and criminal data on which the device is based were gathered, verified, and augmented, there appears a confession in the report that makes one wish that the raw material of that research were more reliable: "Were the record more accurate, it is certain that higher

2. Prognostic Tables

In Chapters XVI and XVII we established the relationship to post-parole criminal status of each of over fifty factors as to which reliable information could be obtained. The six *pre-Reformatory* factors found by that method to bear the highest relationship to the post-parole conduct of the ex-inmates of the Reformatory will now be utilized in constructing a prognostic device. The procedure to be followed is indicated below:

First we set down the actual percentages of the total failures (from the point of view of post-parole criminal conduct) for each of the sub-classes of the six significant factors.

1. Industrial habits preceding sentence to the Reformatory

(Coefficient, .42)

<i>Class</i>	<i>Percentage of Total Failures</i>
Good worker	43%
Fair worker	59%
Poor worker	68%

This means that only 43% of those offenders who, during their pre-Reformatory life, could be rated as *good workers*, turned out to be total failures, as judged by their post-parole criminal conduct. Those who were *fair workers* contributed 59% of their number to the post-parole failures; and those who were *poor workers* contributed 68% of their number to post-parole total failures.

Each of the following factors, which were used in the composition of the prognostic tables as described below, might be similarly analysed and interpreted. In all of these groups of sub-classes the size of the coefficient indicates the degree of relationship between the factor as a whole and the conduct of the men during the five-year period following their discharge from parole supervision.

correlations between various factors making for success or failure while on parole would be secured" (Ibid., p. 264). (2) In constructing his expectancy-rate table Professor Burgess apparently gives *equal weight* to all the factors concerned with "success" or "failure" of the offender on parole. He himself elsewhere shows, however, that the twenty-one factors he uses for his expectancy-rate table are not all of equal influence (Ibid., Chap. XXVIII). (3) The research mentioned does not study the behaviour of the ex-prisoners during a *post-parole* period. It is one thing for a man to behave satisfactorily while under parole supervision and another for him to continue so for a reasonable period after such control has been removed. (4) No prognostic devices are furnished for the use of courts, nor is their value recognized. In spite of these serious defects, Professor Burgess must be credited with having made a beginning in this important field and having been among the first to recognize its possibilities.

2. Seriousness and frequency of pre-Reformatory crime

(Coefficient, .36)

<i>Class</i>	<i>Percentage of Total Failures</i>
Serious offender	67%
Frequent minor offender	53%
Occasional minor offender	35%
Non-offender	21%

3. Arrest for crimes preceding the offence for which sentence to the Reformatory was imposed

(Coefficient, .29)

<i>Class</i>	<i>Percentage of Total Failures</i>
Those with prior arrests	69%
Those without prior arrests	32%

4. Penal experience preceding Reformatory incarceration

(Coefficient, .29)

<i>Class</i>	<i>Percentage of Total Failures</i>
Those with prior penal experience	74%
Those without prior penal experience	47%

5. Economic responsibility preceding sentence to the Reformatory

(Coefficient, .27)

<i>Class</i>	<i>Percentage of Total Failures</i>
Economically responsible	41%
Economically irresponsible	64%

6. Mental abnormality on entrance to the Reformatory

(Coefficient, .26)

<i>Class</i>	<i>Percentage of Total Failures</i>
None	60%
Psychopathic personality	75%
Psychotic	87%

These factors furnished the basis for the construction of the specialized tables for use by judges in certain situations illustrated below. For the prognostic instrument to be utilized by parole boards in considering applications for parole, the conduct records of the prisoners while in the Reformatory must be taken into account. Other items might also have been used in this connexion, but by employing the association tables and coefficients described above we found that they bore but a slight relationship to the post-parole behaviour of our men. The following factor, on the other hand, was shown to be considerably related to the post-parole criminality of the men.

7. Frequency of offences in the Reformatory

(Coefficient, .33)

<i>Class</i>	<i>Percentage of Total Failures</i>
One offence in four months or less	70%
One offence in more than four months, or no offences	30%

For the prognostic device to be used by parole boards in continuing supervision or in changing the form of treatment, the conduct record of the men while on parole must be taken into account. Other parole factors were as before disregarded for this purpose because shown to bear but a negligible relationship to the post-parole conduct of the men.

8. Criminal conduct during parole

(Coefficient, .47)

<i>Class</i>	<i>Percentage of Total Failures</i>
Successes on parole	30%
Partial failures on parole	31%
Total failures on parole	77%

Finally, for the prognostic instruments to be used by judges in dealing with recidivists—that is, men who, having already passed through the existing reformatory and parole regimes, again commit crimes—the five highest post-parole factors are added to the foregoing, as follows:

9. Industrial habits following expiration of parole

(Coefficient, .59)

<i>Class</i>	<i>Percentage of Total Failures</i>
Good worker	19%
Fair worker	66%
Poor worker	92%

10. Family relationship following parole

(Coefficient, .58)

<i>Class</i>	<i>Percentage of Total Failures</i>
Good	10%
Fair	50%
Poor	85%

11. Economic responsibility following parole

(Coefficient, .53)

<i>Class</i>	<i>Percentage of Total Failures</i>
Good	6%
Fair	53%
Poor	85%

12. Type of home following parole

(Coefficient, .48)

<i>Class</i>	<i>Percentage of Total Failures</i>
Favourable	24%
Fair	44%
Unfavourable	86%

13. Use of leisure following parole

(Coefficient, .46)

<i>Class</i>	<i>Percentage of Total Failures</i>
Constructive	0%
Negative	15%
Harmful	81%

So much for the first step in the process of constructing predictability tables. The second step consists in determining the highest score, on the one hand, and the lowest, on the other, that it was possible for a person to have on the basis of the foregoing percentages. This was done by adding up all the lowest percentages listed above, which gave the lowest possible total-failure score, and then adding up the highest percentages, which yielded the highest possible total-failure score. Score-classes between these two limits were then established, and each of the men involved was classified therein according to his particular score and his criminal class. The following table, which is based on the first six factors, will indicate how this was done.

TABLE 112

PROBABLE PERCENTAGES OF POST-PAROLE SUCCESSES, PARTIAL FAILURES, AND TOTAL FAILURES FROM THE STANDPOINT OF CRIMINALITY, BASED ON SCORES ON SIX MOST IMPORTANT PRE-REFORMATORY FACTORS

<i>Total-Failure Score</i>	<i>Probable Status as to Post-Parole Criminality (Percentages)</i>			
	<i>Success</i>	<i>Partial Failure</i>	<i>Total Failure</i>	<i>Total</i>
244-295.....	75.0	20.0	5.0	100
296-345.....	34.6	11.5	53.9	100
346-395.....	26.2	19.1	54.7	100
396 and over.....	5.7	13.7	80.6	100
Total.....	20.0	15.6	64.4	100*

Coefficient of contingency, .45.

* Based on those cases in which information was available as to all the pertinent factors. This accounts for the fact that while the total-failure rate of the entire number of cases on which this research is based is 62.1% there are variations in the total-failure rates of the factors presented throughout this chapter and chapters XVI and XVII. It will be seen that some of the sub-classes of the factors on pages 281-285 have higher failure scores than the 62.1% pertaining to the entire group of cases studied; others have lower.

From this table a judge, considering whether or not to sentence an offender to a reformatory, can with considerable accuracy determine the advisability of such disposition of the case before him, provided he has reliable information as to the offender's status on the six factors upon which the table is based. Thus a prisoner who scores as low as 244 to 295 on these six pre-Reformatory factors has seven and a half in ten chances (75:100) of being a success in post-parole conduct, while one with as high a failure score as 396 or over has but half a chance in ten (5.7:100) of succeeding. The first man also has two in ten chances (20:100) of failing only partially, and only half a chance in ten (5:100) of being a complete failure; the second has but one chance in ten (13.7:100) of failing partially and eight out of ten chances (80.6:100) of turning out to be a complete failure.

In presenting the above illustration of a possible prognostic device to aid the courts, it should be added that we do not propose the immediate adoption of the rates of failure and success above given. It is the idea and the method of prognosis in this field that concerns us, rather than the construction of a failure-rate prognostic table which might be used in the courts of Massachusetts or elsewhere tomorrow.⁴ It will be valuable to test the extent of reliability of such tables by constructing them on the basis of another sample of offenders and comparing the results with those obtained herein. Moreover, it should be pointed out that the probable failure rates given in the tables are based on the Massachusetts Reformatory and parole systems essentially as they were during the period when our men were in the Reformatory, and not as they might be. They would probably need to be considerably modified in the light of experience with improved machinery of justice.

The next prognostic table is presented as a possible model for parole boards in determining which men to release on parole, and in obtaining some true conception of the probable length of parole supervision needed in different cases. For this purpose not only the six highest pre-Reformatory factors have been used, but that factor of the Reformatory period which was found to be related higher than any other to post-parole criminality — namely, the frequency of misconduct of the men in the Reformatory.

TABLE 113

PROBABLE POST-PAROLE CRIMINALITY RATES BASED ON TOTAL-FAILURE SCORES ON SIX HIGHEST PRE-REFORMATORY FACTORS AND HIGHEST REFORMATORY FACTOR

<i>Total-Failure Score</i>	<i>Probable Status as to Post-Parole Criminality (Percentages)</i>			
	<i>Success</i>	<i>Partial Failure</i>	<i>Total Failure</i>	<i>Total</i>
274-325.....	71.5	21.4	7.1	100
326-425.....	40.6	18.8	40.6	100
426-475.....	11.6	15.2	73.2	100
476 and over.....	4.7	12.5	82.8	100
Total.....	20.9	15.8	63.3	100

Coefficient of contingency, .44.

⁴ The method used in the construction of the prognostic instrument herein presented is the simplest, mathematically, that we could devise. It yields as good results as a much more elaborate statistical procedure which we employed and abandoned in favour of the above. The more involved statistical method consisted of (1) computing, as to each sub-class of each factor, the differences between the actual frequencies of failure and the "independence frequencies" (that is, the mathematically expected frequencies); (2) ascertaining the percentage that these differences were of the total cases in each sub-class; and (3) distributing the cases into failure-score classes on the basis of such derived percentages rather than the actual percentages of failure utilized above. Upon the advice of Professor E. B. Wilson and Professor Ernest Hooton, the simpler method was adopted when it was ascertained that it gave results essentially similar to those derived by the much more complex statistical procedure.

The lowest failure-score obtainable on the basis of our figures, adding the factor of the men's behaviour in the Reformatory, is 274; the highest is 499. It will be seen that a man coming up before the parole board for consideration whose record on the seven factors involved gives him a score of between 274 and 325 has better than seven out of ten chances of being a success in post-parole conduct; he has a two in ten chance of being at least only a partial failure, and but half a chance in ten of turning out to be a total failure. On the other hand, a prisoner whose record on the six highest pre-Reformatory factors and one highest Reformatory factor gives him a failure score totaling 476 or over, has only half a chance in ten of being a success in post-parole conduct, only one chance in ten of being a partial failure, and eight chances in ten of becoming a complete failure.

The next prognostic instrument might be utilized by parole boards in determining whether to continue parole supervision for men already on parole. Of course, under the existing system a parolee's period of supervised liberty automatically ends when the maximum limit of his so-called "indeterminate" sentence is reached. In the peno-correctional practice of the future, however, a completely indeterminate sentence will perhaps be found to be necessary for certain types of cases, and in that event such a prognostic device as the one submitted in the following table would be useful.

TABLE 114

PROBABLE POST-PAROLE CRIMINALITY RATES BASED ON TOTAL-FAILURE SCORES ON SIX HIGHEST PRE-REFORMATORY FACTORS, HIGHEST REFORMATORY FACTOR, AND HIGHEST PAROLE FACTOR

<i>Total-Failure Score</i>	<i>Probable Status as to Post-Parole Criminality (Percentages)</i>			
	<i>Success</i>	<i>Partial Failure</i>	<i>Total Failure</i>	<i>Total</i>
304-350.....	77.7	22.3	....	100
351-400.....	57.2	21.4	21.4	100
401-450.....	45.7	22.8	31.5	100
451-500.....	18.7	18.7	62.6	100
501-550.....	9.6	14.5	75.9	100
551 and over.....	....	8.1	91.9	100
Total.....	21.2	16.5	62.3	100

Coefficient of contingency, .48.

The lowest failure-rate obtainable, when one adds to the foregoing seven factors that of the behaviour of the men while on parole, is 304; the highest is 576. It will be seen that a man already on parole whose case comes up for determination whether the parole board shall discharge him or continue his parole has seven and a half chances in ten of being a success in post-parole conduct if his record on the eight factors involved gives him a score of between 304 and

350. Such a man has two chances in ten of being at least a partial rather than a total failure, and the chances of his turning out to be a total failure are probably nil. On the other hand, a man up for consideration of the parole board for the purpose mentioned whose total-failure score on the eight factors involved is 551 or over has no chance of turning out to be a success if parole supervision is removed; he has but one chance in ten of being a post-parole partial failure, and nine out of ten chances of being a complete failure. The value of this prognostic device in determining which ex-prisoners require continued supervision thus becomes apparent.

The next prognostic table could be utilized by judges for recidivists — that is, men who, having already passed through the Reformatory and parole systems, are again convicted of crime. For this purpose the six pre-Reformatory factors, the highest Reformatory factor, the highest parole factor, and the five highest post-parole factors were utilized.

TABLE 115

PROBABLE POST-PAROLE CRIMINALITY RATES BASED ON TOTAL-FAILURE SCORES ON SIX HIGHEST PRE-REFORMATORY FACTORS, HIGHEST REFORMATORY FACTOR, HIGHEST PAROLE FACTOR, AND FIVE HIGHEST POST-PAROLE FACTORS

<i>Total-Failure Score</i>	<i>Status as to Post-Parole Criminality (Percentages)</i>			
	<i>Success</i>	<i>Partial Failure</i>	<i>Total Failure</i>	<i>Total</i>
363-575.....	95.2	4.8	....	100
576-675.....	60.6	28.6	10.8	100
676-775.....	10.5	47.4	42.1	100
776-875.....	....	22.7	77.3	100
876 and over.....	....	5.1	94.9	100
Total.....	29.4	19.4	51.2	100

Coefficient of contingency, .68.

The lowest failure-rate obtainable, on the basis of our figures, when one adds to the foregoing eight factors the five highest post-parole factors (making a total of thirteen items on which this table is founded) is 363; the highest is 1005. It will be seen that a man who has already passed through the Reformatory and parole systems and has been finally released from parole supervision, but who again commits a crime, has nine and a half chances in ten of turning out to be a post-parole success if again subjected to the Reformatory and parole treatment, provided his total-failure score is between 363 and 575. On the other hand, a recidivist up before the judge for sentence on a new offence whose failure score totals as high as 876 or over has no chance of turning out to be a post-parole success if again subjected to the Reformatory and parole regime. If his prior total-failure record is between 776 and 875, he has two chances in ten

of becoming a partial failure, and nearly eight in ten chances of turning out to be a total failure. If his former total-failure record is 876 or over, there is but half a chance in ten of his being even a partial failure (rather than a total failure) if he be again submitted to the Reformatory and parole routine; while the chances of his again turning out to be a total failure are as high as nine and a half out of ten.

It will be noticed that in all the prognostic tables presented there is a high coefficient of contingency. The last table has the extremely high coefficient of .68. These coefficients indicate the considerable relationship between the failure score rates obtained by the men and their actual status as regards post-parole criminality.

3. Use of Prognostic Tables in Individual Cases

To show more clearly how the prognostic instruments would actually be used by judges and parole officials, we present a number of illustrative cases showing the failure rates obtained by the men on the various factors involved. The records of these men on the factors involved were, of course, not included in the computation of the tables. In other words, we are about to illustrate an empirical test of the adequacy of the prognostic device described above, by taking a number of cases which were left out of consideration in framing the tables, so that we might test their workability. We recognize, of course, that these tables can be adequately tested only by doing what we are about to do with hundreds of cases. Our present object, however, is illustration and exposition, not verification, which latter we hope to do later with another sample of several hundred ex-inmates of the Reformatory. (See Table 116, at top of next page.)

The chart on the next page gives the scores actually obtained on each of the factors involved, by seven offenders. The first three cases are those of men who turned out to be successes so far as their non-criminality during the five-year post-parole period is concerned. Cases four and five were partial failures, cases six and seven complete failures. It will be seen that as to cases one, two, and three, no post-parole factors are given. The reason is that since they were successes and presumably would again not come up before judges for new offences, it was not necessary to indicate what their scores as to the post-parole factors were. Only if they again offend and are again about to be sentenced, will their scores as to the factors involved in the post-parole period related to their prior offence become relevant. As to cases four, five, six, and seven, on the other hand, it is of course evident, by the fact of their having committed new offences during the post-parole period, that they are failures at obeying the law. But from this fact it can by no means be concluded, as we have seen, that they were also necessarily failures in their family relationships, to cite but one of the five post-parole factors. Criminals, like other men, differ as to their

TABLE 116

ILLUSTRATIVE CASE CHART OF MEN WHO WERE POST-PAROLE SUCCESSSES, THOSE WHO WERE PARTIAL FAILURES, AND THOSE WHO WERE TOTAL FAILURES

Factors		Successes			Partial Failures		Total Failures	
		I	2	3	4	5	6	7
Pre-Reformatory	Industrial habits	43	43	43	59	43	59	68
	Seriousness of crime	21	21	67	67	21	67	67
	Prior arrest	69	32	69	69	32	69	69
	Prior penal experience	47	47	74	47	47	74	47
	Economic responsibility	41	41	41	64	41	64	64
	Mental condition	60	60	75	75	87	87	60
	Total I	281	244	369	381	271	420	375
Reformatory	Conduct in Reformatory	30	30	30	70	30	70	70
	Total II	311	274	399	451	301	490	445
Parole	Conduct on parole	No parole served in maximum sentence	30	77	77	30	77	30
	Total III		304	476	528	331	567	475
Post-Parole	Industrial habits				66	66	92	92
	Family relationship				10	50	85	85
	Economic responsibility				53	53	85	53
	Type of home				44	44	86	44
	Use of leisure				81	81	81	81
	Total IV				782	625	996	830

behaviour with reference to matters embraced in the five post-parole factors. Their record in those respects is perhaps just as important from the point of view of predicting what their future conduct will be as is the fact of their having again lapsed into criminality.

Assume, now, that cases two and three are before a judge for sentence, as, indeed, they were some six or eight years ago. The judge will see that case two, whose failure score is only 244 (Table 116, Total I), has seven and a half out of ten chances of being a success, so far as post-parole conduct is concerned, if put through the Reformatory and parole regimes (Table 112). Now if the judge could have before him, in addition to the prognostic instrument based on the Reformatory and parole regimes, a prediction table based on *probation*, and if that table indicated that a prisoner with the total-failure score of case two has, say, *nine* out of ten chances of succeeding if placed on probation, then, other things being equal, the court would place him on probation instead of sentencing him to a reformatory. If, in addition to the prognostic tables covering the Reformatory and parole regimes and probation, our judge also had scientifically constructed tables on other forms of treatment, such as the more rigid regime of

the prison, or treatment in special institutions for psychopathic, defective, or other classes, the probability of the court's doing its work intelligently would be greatly multiplied.

Turning now to case three, the judge, on consulting the failure-score chart, would find that that prisoner has the score of 369. Looking next at his prognostic table (Table 112), he would see that the chances are only two and a half out of ten of case three's being a success if submitted to the Reformatory and parole regimes. If, again, our judge has a failure-rate table for probation or some other form of treatment, and the chances are found to be better for a person of the type of case three to succeed under such treatment than under the Reformatory regime, then probation or other treatment would be given precedence over sentence to the Reformatory.

Let us next consider case one from the point of view of the work of the parole board. When the prisoners were being considered by the parole board for release under supervision, case one, whose failure score was one of the lowest of the seven (311), was denied parole. He was compelled to serve his entire sentence behind prison bars, while cases four, six, and seven, with their relatively high failure scores (Total II), were permitted to spend most of their sentence in freedom on parole. Since case one had such a low failure score on the six pre-Reformatory factors and the one Reformatory factor involved in the parole board's prognostic chart, the chances were seven out of ten (Table 113) that he would be the success he actually turned out to be, two in ten that he would at least be only a partial failure, and less than one out of ten that he would be a complete failure, if released on parole. With this assurance, the parole board might reasonably have allowed this offender to spend most of his sentence in supervised liberty instead of behind bars, thus returning him much earlier to a normal life in the community than it actually did.

Case three, who, in the long run (Total III), had the highest failure score (476) of the three men who were post-parole successes, was a psychopath and a moron, a fact that illustrates the value of psychiatric aid to the court. Knowledge of the mental condition of case three would have materially aided the judge in deciding which type of correctional treatment was best suited to the prisoner. Case three had only two chances in ten, when he completed his parole, of being the success that he actually turned out to be. Actually, the good result in his case is not to be attributed so much to either the Reformatory or the parole system as to the fact that almost to the end of his post-parole period case three was in the protected, supervised environment of the army. There but little initiative was required of him; his food, clothing, and lodging were furnished; and but a minimum of competitive effort on his part was sufficient.⁵

⁵ We have found that certain men do better under supervision, whether military or parole, than without it; others do equally well under supervision as without it. There were 158 men who had army or navy careers (of which the nature of the discharge was known) which terminated before the expiration of the post-parole period.

Case three illustrates the important point that prognostic devices such as those herein presented are not to be utilized blindly. It is not proposed thereby to convert judges completely into the rubber stamps they are sometimes partially compelled to be by detailed, legislative prescription of penalties to be imposed for various offences. If a physician, utilizing a prognostic instrument for different combinations of symptoms as an aid to treatment, were to follow such a table blindly, he would soon find himself in trouble. Such a device could only furnish support to his experience and reason; it would not be a substitute therefor. Similarly, a prognostic instrument of the kind herein devised would only aid the judge in performing his sentencing task much more intelligently than he performs it today. It would not supersede the judge.

But even if busy courts were, because of the pressure of business, to found their disposition of cases entirely upon failure-rate tables, making no exceptions to suit individual peculiarities, the chances are all in favour of the conclusion that, in the long run, they would thereby do a much more constructive work, from the points of view of both society and the offender, than they are doing today.

By way of further exposition of the proposed method, we may now consider several other cases whose failure scores are indicated in Table 116. When case five (a partial post-parole failure) and case six (a total post-parole failure) were up before the judge *the first time*, he could have seen that the former's total-failure score is 271, the latter's 420 (Table 116, Total I). Consulting the prognostic chart (Table 112), he would have learned that case five had seven and a half out of ten chances of being a success if put through the Reformatory and parole regimes, two in ten chances of being a partial failure, and only half a chance in ten of turning out to be a total post-parole failure. Case six, on the other hand, had only half a chance in ten of being a success, only a one and a half to ten chance of being a partial failure, and an eight to ten chance of being a total failure. The judge could thus have ascertained the futility of subjecting a man like case six to the Reformatory and parole regime and could have foretold that case six would be the failure he actually turned out to be. On the other hand, the court might have tried case five on probation, if the chances of that prisoner's succeeding on probation had been found to be more favourable than his chances of success under the Reformatory and parole regimes.

So, too, if the parole board had consulted the prognostic chart (Table 113) when case six was being considered for parole, it would have seen that the chances of that prisoner's being an ultimate success if released on parole were less than one-half out of ten, since his score was 490 (Table 116, Total II). It would also have seen that the chances of case five, with his score of 301, were seven out of ten that he would be a post-parole success, two out of ten that he would be a partial failure, and less than one in ten that he would totally fail.

Assume, now, that case five and case six have again been convicted after

passing through the Reformatory and parole systems, and are now up before a judge for sentence. The judge will see (Table 115) that case five, whose failure score covering pre-Reformatory, Reformatory, parole, and *post-parole* factors pertaining to his previous criminality is 625 (Table 116, Total IV), has six chances out of ten of being a success if again put through the routine of Reformatory and parole, a three in ten chance of again being a partial failure, and a one in ten chance of this time turning out to be a complete failure. If prognostic tables pertaining to other forms of treatment should show a higher possibility of success, such treatment, rather than another trial in the Reformatory and on parole, would be "indicated," as the physicians say. Thus, while at first sight the method proposed herein may appear to be of service to judges only in telling them which persons *not* to commit to a certain institution, in reality the converse is also true; that is, if prognostic tables exist covering *all possible* judicial dispositions of cases, then judges will know not only where *not* to send various types of offenders, but also which of a series of possible dispositions is the most likely to result satisfactorily.

Case six, a complete failure, has the extremely high failure score of 996 (Table 116, Total IV). Table 115 shows that the chances that case six will turn out a success if again subjected to the Reformatory and parole regimes are nil; the chance of his being a partial failure is one-half out of ten, while there is a nine and a half chance in ten of his continuing to be a complete failure. If, again, a failure-rate table as to some other form of treatment would indicate that for a prisoner of the type of case six there is a fairly good probability of success, then such other treatment might be tried. If the chances that case six will be a total failure under other existing forms of treatment are as high as under Reformatory and parole treatment, then *society must provide for wholly indeterminate, probably lifelong, incarceration for men of the type of case six; at least it must do so until such time as it has, by experiment, greatly improved and supplemented existing peno-correctional methods.*

Examination of the history of case six shows that he has long been a chronic alcoholic. For him, therefore, indeterminate incarceration in an industrial camp or farm, with facilities for the medical and psychiatric treatment of alcoholics and an opportunity to earn at least part of a living for his family, is perhaps the most promising treatment.

Case four was diagnosed by the Reformatory psychiatrist as a psychopath. Difficulties of social adjustment are frequently the characteristics of this type of distorted personality. When case four is up before a judge for a new offence, it will be seen that his failure score is 782. Turning to the prognostic device (Table 115), the judge will learn that there is no chance of case four's turning out a success if again subjected to the old regime, and two out of ten chances of his being a partial failure; while the chances of his total failure are somewhat greater than seven and a half in ten. Now, if there is available a specialized

institution for psychopathic personalities, where good psychiatric facilities and industrial and educational opportunities are afforded, the judge, who perhaps the first time wanted to try case four under the ordinary reformatory and parole regimes before committing him for a *wholly indeterminate* period to the specialized institution for psychopaths, may now decide to send him to such an institution; unless, of course, the prognostic tables as to other forms of treatment indicate that those should first be tried.

One might similarly analyse all the cases studied. Sufficient explanation has, however, been made to indicate exactly the role that might be played in the scientific administration of justice by some such prognostic instruments as herein proposed.

In the foregoing illustrative cases, the pre-Reformatory factor of mental condition has been shown to be of great importance in determining what type of *treatment* to apply to a particular case. Is it also absolutely indispensable as an element of the *prognostic* instruments? It must be remembered in this connexion that the vast majority of criminal courts in the United States are not yet awake to the possibilities of psychiatry and psychology in the effective and humane administration of criminal justice. Many of these courts do, however, have some form of opportunity for social investigation of some of the cases that come before them for sentence.⁶ This service is most frequently furnished by probation officers, who are supposed to make investigations of the social conditions surrounding the accused, submitting their reports to aid the court in the proper disposition of cases.

Now, we have found that, at least in our cases, the efficiency of the prognostic devices herein described is hardly impaired⁷ if one omits, from among the factors to be considered by the court, that of the mental condition of the accused. A possible explanation of this is that much of the individual's mental constitution is reflected and expressed in his conduct. Hence, it would seem that so far as *prognosis* is concerned, courts without the services of psychiatrists can get along fairly well, provided there is careful social investigation of cases. When, however, there is judicial recognition of mental disorder or distortion of personality as one of the important causes involved in the continuation of anti-social conduct in certain cases, and when an intelligent disposition of those cases in the light of such findings is attempted, the services of a good psychiatrist will become indispensable to any modern judicial system.

⁶ See Winfred Overholser, "Psychiatric Service in Penal and Reformatory Institutions and Criminal Courts in the United States," *Mental Hygiene*, Vol. XII (1928), pp. 801 et seq.

⁷ The coefficient expressing the relationship between the pre-Reformatory factors (omitting mental condition) and post-parole criminality is .40; that between the pre-Reformatory factors plus the Reformatory factor and post-parole criminality is .39; that between pre-Reformatory plus Reformatory and parole conduct factors, and post-parole criminality, is .45; and that between all these plus the five post-parole factors, and post-parole criminality, is .69. It will be seen that these coefficients are essentially similar to those in the prognostic tables 112 to 115.

4. *Weakness of Existing Practice*

In the foregoing pages we have presented instruments for rendering the work of courts and parole offices much more scientific than it is today. Some reminder of the present *modus operandi* might appropriately be here given by way of contrast. The relationship between the total-failure score on the factors embraced in the preceding prognostic instruments, and post-parole criminal conduct, was found to be very high. The coefficients expressing that fact ranged from .44 to .68. In Chapter XVI it was, however, established that the coefficient expressing the relation between the type of offence committed—that is, whether it was a burglary, larceny, robbery, or sexually motivated crime—and post-parole criminal status is but .12.⁸ This coefficient is so low as to indicate only a negligible relationship between the nature of the offence and post-parole conduct. Again, the coefficient of contingency between the seriousness of the offence for which the men were sentenced to the Reformatory and their post-parole criminal record was but .05.⁹—that is, practically nil. *But the modern disposition of cases is fundamentally based on these factors!*¹⁰ *In other words, legislative prescription of penalties, and judicial sentencing, are founded upon considerations almost wholly irrelevant to whether or not a criminal will thereunder ultimately be a success, a partial failure, or a total failure.* Can any proof of the unscientific nature of the contemporary treatment of this problem be stronger? After all, is not one important object of punishment, even in the eyes of the most conservative, to prevent the offender from continuing in criminality? The absurdity of the existing practice is brought out by statutory provisions, of which the following is typical:

“Whoever steals, or with intent to defraud, obtains by a false pretence, or whoever unlawfully and, with intent to steal or embezzle, converts or secretes, with intent to convert, the money or personal chattel of another, whether such money or personal chattel is or is not in his possession at the time of such conversion or secreting, shall be guilty of larceny, and shall, if the *value* of the property stolen *exceeds* \$100, be punished by *imprisonment* in the state prison for *not more than five years* or by a fine of not more than \$600 and imprisonment in jail for not more than two years; or, if the *value* of the property stolen *does not exceed* \$100, shall be punished by imprisonment in jail for *not more than one year* or by a *fine* of not more than \$300; or, if the property was stolen from the conveyance of a common carrier or of a person carrying on an express business, shall be punished for the first offense by imprisonment for not less than six months nor more than 2½ years, or by a fine of not less than \$50

⁸ P. 252.

⁹ Table 80, p. 252.

¹⁰ Probation and the indeterminate sentence of course allow the judge and parole board some scope for individualization. But essentially the limits of his discretion in this important work of sentencing offenders against the law are marked out by considerations of the kind mentioned.

or more than \$600, or both, and for a subsequent offense by imprisonment for not less than eighteen months nor more than two and one-half years, or by a fine of not less than \$150 nor more than \$600, or both.”¹¹

The nature of the peno-correctional treatment to be imposed is made to hinge upon the value of the property that happens to have been stolen and the person or place from which it was taken, rather than upon the make-up of the offender and the probabilities of his responding to one or another form of treatment.

5. *Summary*

In the foregoing pages we have presented a series of prognostic tables and illustrative cases, indicating that it is possible to introduce scientific method into the work of criminal courts and parole boards. Under the existing system, judges either are compelled to follow blindly the dictates of a legislature which has set down in advance the precise punishments to be imposed for each offence, or are governed by considerations almost entirely irrelevant to the factors which are most strongly associated with the future conduct of criminals. This practice has been demonstrated to be unscientific. On the other hand, it should be obvious from the illustrations given that judicial or administrative guess-work or predilection, irrelevant argument of counsel paid to “get my client off,” or at least to reduce the punishment, or other extraneous considerations would, by the intelligent use of some such device as herein described, be replaced by a truly intelligent approach toward the problem. The instrument presented in the foregoing pages is by no means a perfect one. Much more research and refinement of method is needed.¹² But it constitutes a step towards a scientific management of the problem of crime by courts and administrative agencies.

¹¹ Massachusetts General Laws (1921), Chap. 266, sec. 39 (italics ours).

¹² For example, although the above tables are based on an analysis of some fifty factors in the lives of the offenders studied, it may be possible to obtain many more significant factors. We have had to eliminate some data regarding the pre-Reformatory careers of our men because such data could not be sufficiently verified. In another research we are now conducting it is being found possible to obtain verified information on some points not included in the present work. We plan to experiment further with various methods of constructing prognostic tables, since it may be that more simple and accurate devices can be invented.

CHAPTER XIX

THE POINT OF VIEW OF THE EX-PRISONER

1. Introductory Comments

In addition to the objective, statistical comparisons made in the preceding chapters, some general conception of the effectiveness or shortcomings of the Reformatory and the parole system may be gained from an analysis of the comments of a considerable number of former prisoners. In presenting this material, we fully recognize that it is natural for many of these men to be prejudiced against the Reformatory, the parole system, and some of the officers of those institutions. We have also in mind the natural tendency to exaggeration to be expected in untrained observers who are involved, emotionally, in the processes upon which they pass judgment. All this is true.

On the other hand, when definite criticisms are expressed with considerable frequency, and when these opinions are voiced independently by those who have had first-hand experience with the Reformatory and parole system, it is reasonable to conclude that such expressions of opinion are founded on a good many facts. This is particularly true if, as in the present case, these opinions have been expressed by men in all the three criminal classes (successes, partial failures, and total failures) and not merely by those who, being complete failures from the point of view of avoiding the commission of crime, might be presumed to have an ax to grind.¹ The manner in which this opinion testimony of those who passed through the mill was obtained is further pledge of its probable reliability. It was not elicited through "leading questions," cunningly conceived for that purpose. Our chief interviewer,² a gentleman of tact and sympathy, of many years' experience with delinquents and prisoners in a wide variety of public and private social work, was able in a remarkable manner to win the confidence of the men and their families; and their opinions were freely and spontaneously expressed because of the rapport established.

At all events, these comments of ex-inmates (and, occasionally, their near relatives) should serve as cumulative evidence on the question of the influence of the Reformatory and the parole system in bringing about an improvement of attitude and conduct.

¹ Comments were made to us by the men or their near relatives, through field investigators, in 147 cases of the total-failure group, 58 of partial failures, 86 of successes, and 10 in which post-parole conduct is unknown. This leaves a total of 209 men from whom no comments were obtainable.

² Mr. Samuel C. Lawrence, A.B. (Harvard, '98).

2. Beneficial Effects of Reformatory Life

Of the total of 301 men who expressed opinions, 205 (68.2%) made statements which were favourable to the Reformatory and 96 (31.8%) made unfavourable remarks. The comments about the beneficial effects of the Reformatory may be classified as follows:

1. Eighty-one men (39.8% of the 205 who expressed favourable opinions) spoke, in one way or another, of the deterrent effect of Reformatory incarceration and of parole, especially the former. Of these, 43 (53%) seemed to stress the distasteful deprivation of liberty; 38 spoke of having "learned a lesson," or expressed the opinion that the results of their misconduct made them realize that "crime doesn't pay." Forty (49.4%) of the 81 expressions of opinion as to the deterrent effect of imprisonment were contributed by men classifiable as successes as regards post-parole criminality, 20 (24.7%) by partial failures, and 17 (21%) by total failures, the post-parole conduct of the remaining 4 being unknown. Thus, at least 60 (74.1%) of the 81 men who spoke of the deterrent effect of their imprisonment (the successes and partial failures) gave evidence of the sincerity and strength of their conviction.

2. Sixty-three men (30.7% of the 205) said that the Reformatory benefited them by teaching them a trade or skill. Of these, 30 (47.6%) were total failures, 10 (15.9%) partial failures, and 21 (33.3%) successes; the criminal record of 2 was unknown.

3. Sixty men (29.2%) spoke of the influence of the Reformatory as beneficial by reason of the regularity of life it afforded and the improvement in habits that it brought about. Of these, 27 (45%) were total failures, 17 (28.3%) partial failures, and 16 (26.7%) successes. In this connexion the men frequently expressed the opinion that the Reformatory influence consisted largely of giving them "an opportunity to think" and of instilling in them a habit of routine work and recreation which persisted on their return to freedom.

4. Thirty-three men (16.1%) mentioned the benefits derived from contact with certain officers.³ Of these, 14 (42.4%) were total failures, 5 (15.2%) were partial failures, and 14 (42.4%) were successes.

5. Seventeen men (8.3%) — of whom 7 were total failures, 2 partial failures, 8 successes — stressed the benefits derived from academic work at the Reformatory.

6. Thirteen (6.3%) — of whom 6 were total failures, 2 partial failures, 3 successes, the record of 2 others being unknown — spoke of the improvement in health due to medical care and exercise.

7. There were a few expressions of opinion as to other factors. Thus, 9 (4 partial failures, 5 successes) acknowledged that the Reformatory had improved

³ See p. 303, note 13, where the criticism of some ex-prisoners against certain Reformatory officers is noted.

their character, changed their attitude, or aroused their ambition; 7 (2 total failures, 3 partial failures, 2 successes) volunteered that they had benefited by the religious exercises at the institution; 5 (3 total failures, 1 partial failure, 1 success) spoke of their breaking with former bad associates as the result of imprisonment; 6 more claimed various other specific values or acknowledged a general benefit.

Thus, a total of 205⁴ of the 301 ex-prisoners from whom opinions were available, or 68.2%, acknowledged benefits of one sort or another from their stay in the Reformatory; 96 men, or 31.8% claimed no beneficial effects at all.

3. Deleterious Effects of Reformatory Life

Ninety-six men (31.8%) made 136 unfavourable comments as to the harmful effects of life in the Reformatory, as follows:

1. Twenty-six men (27% of those who made adverse comments) claimed that they obtained a further schooling in crime in the Reformatory.⁵ Of these, 19 (73%) were total failures, 4 partial failures, and 3 successes.

2. Twenty-five men (26%) asserted that they acquired bad habits⁶ and proficiency in "bad language" in the Reformatory. Of these, 18 (72%) were in the total-failure class, 5 were partial failures, 2 successes.

3. Twenty-three men (24%) asserted they acquired bad associates at the Reformatory, whose companionship they renewed after their discharge from the institution. Of these, 19 (82.5%) were in the total-failure class, 4 were partial failures, and none was a success.

4. Thirty-six men (37.5%) complained of the difficulties encountered in social or industrial rehabilitation because of "hounding" by the police or the tactlessness of parole officers, or because of their criminal record.⁷ Of these, 31 (86%) were in the total-failure class, 1 was a partial failure, and 4 were successes.

⁴ These 205 men made 294 favourable comments out of a total of 404 opinions expressed; of course a number of them also made unfavourable comments, which are analysed below.

⁵ C. said he learned the use of nitroglycerine and dynamite for safe-blowing. D. asserted he learned how to pick locks and how to unlock handcuffs. S. said: "I learned a damn' sight more crookedness at the M. R. than elsewhere." Z. said he learned how to use invisible ink to write a secret letter between the lines of an innocent one. F. claimed he learned to be "a master of crime." He learned that drunkards were easy to rob. By carefully following the instructions of his prison friends he returned home one night with \$300 taken from drunkards.

⁶ S. asserted he had never indulged in sex practices before entering the Reformatory, but ever since he has "been at it all the time." Two men claimed they acquired the "dope habit" at the institution; 6 "learned lots of smut"; 3 claimed they there contracted the homosexual habit; some "picked up bad language."

⁷ K. said that when he went to seek employment, he could not furnish recommendations or explain where he had spent his time. He claimed that he lost two jobs because the parole officer revealed his record to his employer. H. said that he lost a job because his employer grew suspicious from the constant questioning by the parole officer. T. asserted he lost two jobs because of letters sent to his employer by the parole board. G. said that the captain of the beat in which he lived pointed him out to a new policeman and that he lost a good job as a result of the police informing

5. Thirteen (13.5%) expressed a resentful, rebellious, embittered, or depressed attitude, asserting it had been brought about by their imprisonment. Of these, 10 were total failures, 1 was a partial failure, and 2 were successes.

6. Various other harmful effects were reported by 13 men.

To offset the foregoing voluntary and spontaneous statements as to the harmful effects of the Reformatory, the opinions of a number of other men are presented on some of the specific points adversely criticized:

1. One man (a success) said he experienced no social stigma because of his incarceration. Twenty-six men said they found little or no difficulty in obtaining employment on their release, for various reasons. One said, for example, that sailors are not asked whether they have a prior criminal record; one went to a new locality for a fresh start, others said they supposed they did not lose their jobs because employers were ignorant of their criminal records. One said his former employer took him back.

2. Twenty-three men asserted they had no difficulties with the police because of their records; of these 16 were post-parole successes, 4 partial failures, and 3 failures.

3. Thirteen said they had not been influenced by evil at the Reformatory; 9 of these were successes, 1 was a partial failure, 3 were total failures.

4. Seven (6 successes, 1 partial failure) said, in general, that they were "no better, no worse" for having been at the Reformatory; and 27 more (3 successes, 5 partial failures, 19 failures) paid the institution the somewhat dubious compliment of saying that they learned there nothing, either beneficial or harmful.⁸

5. Fifteen (10 successes, 2 partial failures, 3 total failures) said they did not follow up acquaintances made at the Reformatory.

Comparison of the post-parole criminality of the group admitting beneficial effects of the Reformatory with those reporting harmful influences shows that 109 (37.1%) of the 294 favourable comments were made by men who were total failures in conduct during the post-parole period, 66 (22.4%) by those who were partial failures,⁹ and 111 (37.7%) by those who were successes. It will be seen that *the favourable impressions are about equally divided between the extremes in post-parole conduct—the successes and the failures*. Since over one-third of the favourable comments were made by post-parole failures, it is reasonable to

his employer of his record. R. stated that the police have been trying "to get" him ever since he left the Reformatory. They bar him from poolrooms and got him fired from his job, which threw him back into gambling for a living. D. said: "They keep after us all the time, tell us to be good, go with good companions, and then warn the good companions against us." F. said the parole officer threatened him with "I'll get you yet." M. said that though he passed a Civil Service examination, he was not given employment because of his record. Z. said he had to lie about his stay in the Reformatory to get a job. Y. was not hired because he refused to say where he had obtained his experience.

⁸ "Nothing up there to learn a fellow to do better." "If my imprisonment was for reform, no method for that reform did I find," quoth P.

⁹ The post-parole conduct record of the remaining few cases is unknown.

conclude that the good effects of the institution are recognized by its former inmates to overbalance the bad; for a spontaneous, voluntary admission of benefits received in the Reformatory by those who, upon their discharge, continue to be criminal is an admission that the men would not be naturally expected to make, and ought therefore to be given considerable weight. So far as could be ascertained from conversation with the men, these statements of benefits derived from the institution were not made in any cynical or insincere sense; they constitute a frank admission that these men, in spite of their continued antisocial conduct, did obtain some benefits from their stay in the institution.

When the high percentage of failures acknowledging benefits from the Reformatory is taken into consideration with the equally high percentage of successes (that is, those no longer criminal) making a similar acknowledgment, the case for the Reformatory's having some beneficial effect on the men, however short it may fall of actually curbing their criminality, becomes stronger. And this is so even when allowance is made for the possible fact that some of the men, when interviewed, thought it would perhaps be wiser to "play up" the Reformatory than "run it down," though it was carefully explained to them that our inquiries were for purely scientific purposes and could not possibly work to their disadvantage or advantage.

To what extent is this picture marred by the analysis of the unfavourable comments? Of the 96 men who made 136 adverse criticisms of the Reformatory, the criminal record of 6 was unknown. Classifying the remaining 90 men according to the 136 adverse comments made, it is found that 100 comments (76.9%) are derived from men who were total failures in the post-parole period, 16 (12.3%) from those who were partial failures, and 14 (10.8%) from those who were successes.

The total of unfavourable criticisms is therefore much smaller than the favourable (136 compared to 294). Moreover, almost four-fifths of the men making unfavourable comments are failures, and only 10.8% successes; while, as we saw, those expressing favourable opinions are equally divided (not counting the partial failures) between the successes and total failures. Further, the unfavourable comments are at least to some extent offset by the other opinions that follow them above. In view of these facts, it can only be fairly concluded that *from the lips of its own alumni the Reformatory can on the whole rightly lay claim to some beneficial influence on its inmates.*

4. General Criticisms of the Reformatory by Ex-Inmates

In addition to the foregoing opinions of the men as to the good or deleterious influences of the Reformatory *on them personally*, an analysis was made of the general criticisms made by the men of the life about them in the institution. As to some points the statements are a generalized expression of what the men had

already said with reference to themselves alone; as to others, new comments are made.

1. Sixty-seven men (22.2% of the 301 who made comments) call attention to the lack of intelligent classification of inmates, most of them mentioning the practice of mingling younger with older boys, novices with hardened criminals.¹⁰ Of the 67, 25 (37.3%) were successes, 15 (22.4%) were partial failures, 27 (40.3%) total failures. The opinions that classification at the Reformatory is advisable are thus about evenly divided between successes and total failures.

2. Sixty-five men (21.5%) volunteered information as to homosexual practices seen or known of. Of these, 19 (1 success, 5 partial failures, 13 total failures) stated that they did not themselves see unnatural acts at the Reformatory, or that the stories regarding such practices are exaggerated. Of the 46 men who asserted had they had witnessed such acts,¹¹ 11 are successes, 6 partial failures, 29 failures.

¹⁰ Some of the men said that impressionable boys are excited by the stories told by professional crooks. The boys make appointments with the experienced men to meet outside of the Reformatory. D. said that his associates at the Reformatory were much worse than his companions at home; "crooks made dates with simple fellows." M. asserted that a good many fairly innocent boys, stubborn children, etc., are spoiled at the Reformatory because of being allowed to mingle with "hard-boiled criminals." X. said that professional criminals get no benefit from the Reformatory themselves, but spoil the younger boys. Y. said that young people "moped around with crooks on the playground." Exchange of experiences is said to take place on Wednesday afternoons in the yard. Another said that boys of the same home-town congregate in the yard and meet on the outside.

In recent years the correctional officials have been consciously trying to cope with this problem by transferring some of the more "hardened" prisoners to other institutions. The Commissioner of Correction has for some time been urging the need of a separate institution for men of reformatory age who fail to profit by the Reformatory regime and fail while on parole.

¹¹ About this difficult problem of institutional life former Commissioner of Correction Sanford Bates has the following to say: He does "not believe that statements by inmates with reference to the homosexual practices at the reformatory can be given any great amount of credence. In the first place these things are not done in the presence of witnesses. In the second place, if there is one kind of misbehavior that will not be tolerated or covered up or connived at by the officers, it is this. In an institution with the number of officers and employees that are present at the Concord reformatory I believe that such practices are impossible. The record of punishments will show that once or twice a year some such thing is attempted and some years ago there may have been one or two isolated cases where something of the kind actually happened.

"We run across a common tendency among reformatory inmates to rebel against the discipline and routine work which they are subjected to at the institution, and in order to convince the court that they should not be sent to the reformatory or returned there they attempt to enlist the sympathy of the judge and the probation officer by stating that the reformatory is a school for crime and usually as a final argument they refer to the homosexual practices which go on there. I believe that a similar motive may have actuated the statements referred to in your study, but I confidently believe that the prevalence of such practices is infinitesimal."

Superintendent Judge says that rumours of homosexual practices are promptly followed by investigations, and that these usually have revealed no factual basis for the rumours. Possible opportunities for such practices are constantly guarded against.

An attempt is now being made to separate those with demonstrated homosexual tendencies and to place them under strict supervision in smaller shops.

3. Forty-seven (15.6%) alluded to the unnecessary annoyances of a multiplicity of petty rules.¹² Of these, 14 were post-parole successes, 4 partial failures, and 29 failures.

4. Forty-seven (15.6%) spoke of the officers, 30 by way of complaint, 17 in the favour of one or more.¹³ Of these 30, 10 are partial failures, 15 total failures. Of those who speak favourably of some of the officers, 6 are post-parole successes, 2 partial failures, and 9 total failures.

5. Thirty-three ex-inmates (11%) mentioned the industrial training at the Reformatory by way of criticism, 25 adversely, 8 favourably.¹⁴ Of the former, 6

¹² Particularly the prohibition of newspapers and that of tobacco. Some asserted that certain officers would smuggle in tobacco and get a "rake-off"; H. and S. stated that they would pay an instructor fifty cents for a five-cent plug of tobacco and sell it for a dollar to the other inmates; N. got himself transferred to the shop where tobacco was most easily procured; L. claimed to have paid a dollar for a ten-cent piece of tobacco. D. used to get tobacco through the inspectors who worked in the laundry; P. said one fellow told him that he came to the Reformatory with three dollars and left with seven hundred dollars made on tobacco. (Compare the practice of prison business in a Siberian prison, described by Dostoyevsky in *The House of the Dead*.) F. said a good deal of insubordination is caused by the restriction on smoking. O. claimed the deprivation of tobacco led to masturbation and sodomy.

The prohibition of talking at meals or in shops bred hatred on the part of the men, said one. (The prisoners are allowed to converse at meals, only "loud talking" or laughter being prohibited.)

V. asserted that he was allowed to correspond only with his mother and that in this way he lost his fiancée; he is still unmarried and embittered.

(Some of the rules referred to have in recent years been modified or eliminated. See, for example, note 33, p. 158, regarding the tobacco rule.)

¹³ B. said one of the officers used to trap pigeons to take home, thus setting a bad example to the inmates. D. said he used to hear the officers talking about what they would do to "cover themselves up" if they were committing crimes. He has known officers to steal shoes from the state stock and to smuggle in tobacco. D. said an instructor brought in and sold morphine. L. asserted he saw guards beating men. Q. insists he was shoved against a wall and "choked blue in the face" by one employee for "answering back saucily," and others complained that officers have too much unsupervised power. V. and D. pointed out that some officers try to prove their efficiency by reporting the inmates for trifling offences, thus producing hatred for the law. B. said a teacher used profane language. K. said: "Everything is done to discourage a fellow. Too much graft. Officials too harsh." P. says that one of the officers remarked as he was leaving: "We'll see you back soon." Another says this parting shot is frequently made by the officers. M. said that the parole officers are known by sight to employers, and therefore whenever they appear at a place of employment to inquire about a boy, they unwittingly give away the fact that he has been in the Reformatory. X. said: "The parole officers are too 'nosey.'" (Profanity and physical violence on the part of officers are of course strictly forbidden, and punishable by dismissal.)

On the other hand, some of the men rose to the defence of the officers, saying that a number of them at least are "fair and square." Thus M. said that the Deputy was fair in hearing both sides when an officer made a complaint.

The present superintendent has the reputation of dismissing any officer actually found to be bartering with the men.

¹⁴ Some complained of the inadequacy of the training given at the Reformatory; some pointed out that the industrial equipment was not modern and that therefore the men could not obtain jobs on their return to life outside. Some complained that the occupational work stressed quantity of industrial output rather than the teaching of skills to the men. Some objected to the lack of individualized vocational guidance and training. Some asserted that a number of the industries were not suitable to the purpose of teaching the men trades. Another said that men are assigned too casually to industries by the officer in charge. S. said: "They'll keep you for months wiping joints in the plumbing class." Another that the trade school depends too much on lectures and not

were post-parole successes, 8 partial failures, and 11 total failures. Of the latter, 4 were successes, 1 a partial failure, 3 total failures.

6. Five (4 successes, 1 total failure) complained of the school or its teachers; 5 (2 successes, 1 partial failure, 2 total failures) pointed out the ill effects of a too deadly routinization;¹⁵ 12 (1 success, 11 total failures) criticized the religious services and lack of moral training at the institution;¹⁶ on the other hand, 2 of these (partial failures) claimed that the religious influence was good. Only 2 men complained that their cell walls were frequently wet and that the heating in winter was poor.

One ex-inmate made the shrewd observation that life at the Reformatory was too easy; that there was no pressure to do a full day's work. He thinks that the standards of life in the institution should be the same as those on the outside. As it is, men coming out find life too hard. This discourages them, and they are more inclined to seek an easy way of earning a living.

The total number of such general criticisms was 229,¹⁷ of which 61 (20.4%) were favourable, the balance adverse. From the above it is seen that while most of those who make unfavourable criticisms are total failures in post-parole conduct, the same is true of those who make favourable comments.

5. Summary

Drawing together the loose threads of favourable and unfavourable criticisms spontaneously made by ex-inmates of the Reformatory, the following points seem to stand out:

enough on varied practical training. F. said that instruction in the use of blueprints would have been helpful to him later, but he did not receive it at the Reformatory. One complained that the work at one occupation was not continuous enough. He said the men were not allowed to choose their work. He would personally have preferred "firing" to the employment he was put to. M. thought there are "too much politics, poor personnel, no judgment in assigning work, and no educational opportunities to speak of." R. said he wanted to get into the tailoring-shop and was refused permission. Nearly a year later he conceived the idea of tearing his coat in two and mending it again as an example of good tailoring. He was then admitted and is at present a successful tailor on the outside! R. was almost blind; he should have received special training because of this. E. philosophized that "where reform is more a mental than a physical matter, you've got to affect the mind in some way. Merely locking them up, merely setting them to work all together in a great mill doesn't reform." Another said that work is assigned arbitrarily and not to fit the individual's need. T. asserted the authorities took him out of the printing-shop, in which he was greatly interested, and put him into tailoring. He later became a bootlegger.

(Within the past year a superintendent of schools of unquestioned experience and ability has been appointed to correlate the academic and trade-school instruction and the conditions noted will doubtless be improved in course of time.)

¹⁵ One complained that there was no chance for initiative, 2 that the institution was conducted like a prison rather than a reformatory — that it is largely a place of restraint.

¹⁶ H. said the only reason some boys attended church services is that that was better than staying in cells. Other boys complained of Sunday as "a hateful day," because there was little or no supper, and too much idleness. Many inmates order food through the institution store for the Sunday evening meal.

¹⁷ A small number of miscellaneous statements could not be included in the above classification.

(1) The criticisms of the men are, on the whole, intelligent and shrewd and are of legitimate use in throwing further light upon the work and worth of the Reformatory. (2) There is an appreciable recognition of the deterrent effect of imprisonment. (3) There is an appreciable recognition of the value of the Reformatory in teaching a trade or skill. (4) Beneficial effects of the regularity of life in the institution, and improvement in habits, are admitted by an appreciable number of the men interviewed. (5) Smaller groups of men spoke of (a) the benefits derived from contact with certain officers, (b) those derived from the academic work of the Reformatory, (c) improvement in health due to medical care and exercise, (d) other values, such as improvement in character and change of attitude, benefit from religious exercises, breaking off with former bad associates. (6) Slightly less than two-thirds of the 301 men involved acknowledged benefits of one sort or another, the balance claimed no beneficial effects whatsoever.

(7) Almost 70% of the men reported no *harmful* effects from Reformatory life; the others pointed out deleterious influences. (8) Appreciable numbers of men said (a) they obtained further schooling in crime in the Reformatory, (b) they there acquired bad habits, (c) they there made bad acquaintances, (d) they had great difficulty in social and industrial adjustment on their discharge, because of their criminal record and the "hounding" or tactlessness of police and others; (e) a smaller number expressed a resentful, rebellious, embittered, or depressed attitude, due to the Reformatory experience. (9) These adverse criticisms of the Reformatory were to some extent, though not completely, offset by other opinions denying some of the harmful influences listed.

(10) Appreciable numbers of the men, speaking generally and not with reference to their own particular experience at the Reformatory, said: (a) that there was lack of intelligent classification of inmates in the institution; (b) that homosexual practices were frequent; (c) that much unnecessary annoyance and friction were due to the multiplicity of petty rules which had to be obeyed by the inmates on pain of punishment; (d) that the officers are not what they should be, either as setting good examples or as acting as friends and advisers to the men; (e) that industrial training is not so efficient as it might be, particularly in that there is no intelligent vocational guidance; (f) that other features of the regime—its routinization and monotony, its lack of moral training, etc.—are not commendable. These adverse general criticisms of the institution were to some extent, though not completely, offset by other opinions denying some of the harmful general features of the Reformatory regime. About 80% of the general criticisms were unfavourable to the institution, 20% favourable.

CHAPTER XX

SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

1. *Summary of Findings*

The foregoing pages have suggested numerous important questions relative not only to the make-up of the ex-inmates of the Massachusetts Reformatory and to the existing American reformatory and parole regimes, but also to the general administration of justice and the general cultural background of the entire system. Before indicating the chief conclusions and recommendations that grow out of our inquiry, it will be helpful to review the principal findings.

Technique. We have seen that a very elaborate and careful technique had to be worked out in order to obtain complete and reliable data, not only as to the careers and background of our offenders before they entered the Reformatory, but regarding their criminal and social history during parole and thereafter. Without such thoroughgoing investigation it is worse than futile to speak of the percentages of success and failure to be attributed to any penal institution or the parole system. And even with such investigation the forces involved are so complex that they require careful analysis and evaluation before one can arrive at sound conclusions.

The families of offenders against the law. The soil from which the inmates of the Reformatory spring has been shown to be very poor when compared to the general population:

1. Over half of the families of the prisoners had an official record of arrest or commitment for various offences prior to the sentence of our young men; and 30% more of the families had members who were delinquent and criminal, but who for some reason had not been arrested. Facts as to the general Massachusetts or American population are not available; but no one would seriously assert that any such percentages of lawlessness exist on the part of parents, brothers, or sisters of the youths among the general population.

2. Fifteen per cent of the families were dependent economically; almost sixty per cent more were in "marginal" circumstances. Almost sixty per cent of the families had been dealt with by some six hundred various types of social welfare agencies (largely relief organizations). Here again, although statistics as to the general Massachusetts population are not available, one may confidently hazard the conviction that if they were, they would indicate no such economic

condition. Certainly much less than 60% of the general Massachusetts population is in receipt of financial aid from social-welfare organizations.

3. In only 13% of the cases had one or both parents of our men attended even the common school. Since in many cases foreign parentage was involved and comparable foreign statistics are not available, comparison with the general population could not be made. It is safe to assume, however, that more than 13% of the parents among the general population in Massachusetts attended the common school.

4. In 60% of the cases an abnormal, frequently unhealthy, home situation existed by reason of the long or complete absence of one or both parents; in 70% of these cases the rift in the home occurred when our youths were at the impressionable and formative age of fourteen or under. In addition, 24% of the children had not been given suitable parental oversight, because of the mother's working out or being intemperate or immoral. Even if we assume that as many as 24% of the children in Massachusetts homes lack suitable parental oversight for the reason noted, we can safely allege that certainly 60% of the children of the general Massachusetts population do not suffer the experience of a "broken home."

5. The Reformatory group contains two and a half times the number of native-born persons of foreign or mixed parentage as is found in the general population. This raises the problem of the difficulty of adjustment between parents of Old World standards, ideals, and customs and children of the New World. On the other hand, there are two and a half times as many foreign-born of foreign parentage among the general male adult population as in the Reformatory group, indicating that it is not foreign birth per se that is associated with criminality.

6. The Reformatory inmates come from families appreciably larger than the average.

Clearly, then, a considerable percentage of the Reformatory population is derived from families that in a number of important respects may be said to be abnormal when compared to the general population.

The offenders—before entering the Reformatory. Regarding the offenders themselves we found, among other facts, the following most important:

1. Over 80% of the men had left the parental home prior to sentence to the Reformatory for long periods and for causes constituting a serious breach in the parent-child relationship. Half of these left or were taken from the paternal roof at the formative and impressionable age of fourteen or under, 40% more at between fifteen and eighteen. In over one-third of the cases the reason for leaving the home was sentence to a penal or correctional institution, in 17% it was the break-up of the home, in 9% it was commitment to a non-penal institution or to the care of a public-welfare agency; 6% ran away from home. Here again, while comparable statistics for the general population of Massachusetts or

the United States as a "control group" are of course not available, one may safely hazard the opinion that if they were at hand, they would indicate no such large incidence of undesirable conditions as was found in the Reformatory population.

2. Illicit heterosexual relations were had by four-fifths of the youths; almost half were in the habit of gambling, 40% drank alcoholics, 95% had bad companions. As a rule, more than one or two of these vicious influences were operative simultaneously. Together with these facts must be taken the very significant finding that at least 85% of the youths had never been absorbed into socially desirable organizations for the employment of leisure. Once more comparative statistics are not available, but again it may safely be stated that the youth of the general population paint no such undesirable picture.

3. Almost half the youths had moved about from place to place during their early childhood or pubertal and adolescent years, this mobility constituting a factor which must have affected individual responsibility to neighbourhood opinion, and community control of the conduct of individuals. Evidently, however, the general urban population of today moves about as much. This is but one symptom of the great social revolution that is taking place in the tremendously industrialized, kaleidoscopic, urbanized civilization of contemporary America. It is a striking clue to the fact that the crime problem is not an isolated phenomenon, but bound up with fundamental social transformations.

4. The centres of denser population contributed more than their proper proportion to the ranks of the Reformatory.

5. Infrequent church attendance characterizes the group; but comparison with the general population on this score cannot be made because of lack of reliable data as to general church attendance.

6. The educational retardation of our Reformatory youths is considerably greater than that of the general school population, and the educational achievement much less. Almost half of those whose ages at leaving school were known completed their formal education at fourteen; less than ten per cent of the general Boston school population leaves school at that age.

7. The most usual age at which our youths began to work was fourteen, the average age slightly over fifteen. Almost 90% of the young men were unskilled or semi-skilled workers on their entrance to the Reformatory. Almost 60% of the group had held no job prior to commitment for more than a year. The work habits of over half the youths were poor. Data as to the work habits of youths of the general population are not available for comparison. The earnings of the group were exceedingly low.

8. Open conflict with the social authorities of school or the law (chiefly the latter) occurred at the age of fourteen or less in 27% of the cases, at sixteen or less in 77%. The average age of first known arrest was slightly over sixteen. Over four-fifths of the Reformatory inmates are known to have been arrested for offences other than, and prior to, that for which they were sentenced to the

Reformatory. At least 1,944 such offences are known to have been committed by the young men, half of these being major, half minor. Over four-fifths of the arrests for these resulted in convictions, and over four-fifths of the convictions resulted in sentences, of which 40% were probation, 40% commitment to various correctional or penal institutions, the balance fines, etc. An average of over nineteen months had been spent in peno-correctional institutions by the men sentenced thereto before their commitment to the Massachusetts Reformatory. Almost ten per cent of the ex-inmates of the Reformatory had served from one to four sentences in that institution prior to their last commitment. Three-fifths of the youths had been afforded one or more relatively "constructive opportunities" (such as probation) previous to their sentence to the Reformatory.

9. Nine-tenths of the Reformatory inmates were sentenced to that institution for major or serious offences. Property crimes, particularly larceny, comprised nine-tenths of such serious offences. While the average length of sentence imposed was over 56 months, the average period actually served by the prisoners in the institution was 21 months, the remainder being spent on parole. The usual time spent in the Reformatory was from 12 to 15 months.

10. The average age of the group at time of admission to the Reformatory was somewhat over twenty years; about a third of the youths were eighteen or under.

11. Although a fourth of the group were suffering from venereal diseases on their admission, this figure is no different from what appears to be the incidence of venereal diseases in the general population of the same social-economic status.

12. One-third of the men were found to be of normal intelligence, about half "dull" or of "borderline" intelligence, 21% feeble-minded. The former inmates of the institution are thus considerably below the general population on the score of intellectual make-up. Three per cent had definite psychoses, 18% were "psychopaths," 9% more were classified by the institution psychiatrist as drug or alcoholic deteriorates or sex perverts; in 70% there was no known mental disorder or distortion. Three-fifths of those not classifiable as psychotic or psychopathic had various neuropathic traits, such as extreme suggestibility, emotional instability, impulsiveness. Reliable comparative statistics as to the general Massachusetts population are not available, particularly regarding the "psychopathic personality" group, and those with psychoneuroses, many of whom are not hospitalized.

Obviously, then, our group of offenders are abnormal in such important matters as: (a) leaving the family roof at very early ages or for unusual reasons, (b) the widespread prevalence of various demoralizing habits and vices, (c) educational retardation, (d) early entry into industrial competition and poor nature of work habits, (e) delinquency and criminality beginning at very early ages and culminating in arrest and imprisonment for various offences, and (f) mental make-up.

The offenders—in the Reformatory. 1. Over six violations of the rules of the institution per man were chargeable to our group while in the Reformatory; but 17% committed no institutional offences. The 3,235 violations of institutional rules were about equally divided between those designated by the Reformatory officials as serious and those deemed minor. Rebellion against authority constituted 70% of the serious offences, violence against the person 23%. Lack of self-control (manifested in various ways) composed 95% of the minor infractions of Reformatory rules.

2. Almost 70% of the men attending the institutional school of letters got no farther in their education than the six grade; 11% reached only the third grade, 11% the eighth.

3. Farm work was engaged in by 47% of the prisoners at one time or another, weaving by 28%, plumbing by 14%. All but 20% of the men had more than one kind of occupational experience in the Reformatory. Though 80% were occupied at one or more trades long enough to learn their rudiments, the trade-school teachers were of opinion that but 17% of the men were sufficiently equipped on their discharge as semi-skilled or skilled workers to earn a good living at the occupation taught in the Reformatory. Over 40% of the men were, however, changed from the grade of unskilled to that of semi-skilled or skilled, and in a total of over 70% some improvement in occupational status was effected.

The offenders—as parolees. 1. Almost half the parolees either had their permits to be at liberty revoked (a number of the men several times) because of violation of the conditions of parole, or were resentenced to the Reformatory because of new crimes. Some seventy per cent of the revocations were ordered because of convictions for new crimes committed while the men were on parole. Violations of parole conditions were generally most frequent within a short time after the prisoners' release on parole.

2. In four-fifths of the cases the employment required as a condition precedent to release on parole was secured by the parolee himself or his family; in but twelve per cent by the parole agents. Sixty per cent of the parolees held their first job following release from the institution for periods of one month or less, if at all; the average time of holding the first job was two and a half months. At least one-fourth of all jobs of the parole period were abandoned by parolees for reasons not reflecting credit upon them.

3. In about half the cases supervision by parole officers fell short of the theoretical length of the parole period; while the average theoretical parole period was forty months, the average actual length of supervision was only eighteen. While there was an average of 8.6 parole visits per case, over half the parolees were not once personally visited by the parole agent on his initiative, and in another third the parolees were not visited and personally seen oftener than on an average of once in six or more months. In four-fifths of the cases the calls on and

actual contacts with the families, the employers, or the parolees themselves fell short of the monthly visit which the parole authorities generally require.

It is quite evident that the parole supervision of our men fell below, not only the ideal, but the standard, and the behaviour of the men during parole, while showing some improvement over that preceding their sentence to the Reformatory, was still far from what parole boards and judges expect and should require.

The offenders—during the five-year test period following parole. 1. At least 1,014 officially known crimes were committed by the group during the five-year period following completion of parole. Almost four-fifths of the men were found to have committed offences during the post-parole period. This finding reverses almost in perfect proportion the figures of "success" and "failure" customarily attributed to reformatories and parole offices in researches, annual reports, and texts on criminology. One-third of the offences committed during the post-parole period were major, two-thirds minor. Property crimes constituted three-quarters of the former. Crimes associated with use of stimulants and habit-forming drugs (particularly drunkenness) composed two-thirds of the latter. Nine-tenths of the post-parole arrests resulted in convictions, and almost 40% of the latter were followed by sentence to penal institutions, 15% by probation. Of the 307 offenders who committed officially recognized crimes during the post-parole period, over 60% served a total of 397 prison terms. Half the prisoners spent twenty-one or more months in penal institutions during the five-year period following parole, one-fourth from forty-one months to the full sixty-month period.

2. In making comparisons of the criminality of the men during the three stages studied, it was found that there were measurably fewer total failures and more successes during the supervised parole period than during either the pre-Reformatory or the post-parole periods; and that the Reformatory regime and parole supervision (together with the passage of time) had *some* influence in curbing the criminal tendencies of the group. The large majority of the men have, however, not given up their criminal activities.

3. The work habits of 42% of the men whose post-parole history could be obtained and verified were poor, but there was nevertheless an appreciable increase over the pre-Reformatory stage in the number of men whose work habits were good. Over two-fifths of the known cases were unskilled workers in the post-parole period, less than one-fifth skilled. There was an improvement in the earning-capacity of the men in the post-parole period over the pre-Reformatory. The improvement in earning-capacity, however, and increase in good work-habits and skilfulness in industry are probably in some measure attributable to the mere passage of time and the maturing of the young men, as well as to the training received in the Reformatory. Almost half the men were adjudged industrial failures in the post-parole period, laziness, continual drunkenness, and *Wanderlust* constituting two-thirds of the known reasons for occupational

failure. There was but a small correlation between the kind of worker a man was adjudged to be while in the Reformatory and his post-parole industrial success or failure. On the whole, there was no marked improvement in the types of work done by the men during the post-parole, compared with the pre-Reformatory, period. Only one-third of the men as to whom information was available had at some time or other during the parole or post-parole periods used the occupations taught them at the Reformatory; and over half of these men had worked at those trades prior to their commitment to the institution.

4. There was a slight decrease in economic dependency and a considerable decrease in economic comfort during the post-parole period as compared with the pre-Reformatory stage, with an appreciable increase in the number of families in the "marginal" economic class. There was a high relationship between the meeting of economic responsibilities towards the family in the pre-Reformatory period and in the post-parole period. About a third of the men were failures in meeting their post-parole economic obligations to the family, over half were partial successes, and only eleven per cent were successes. One-third of the post-parole homes were found to be unfavourable, one-fourth favourable, the remainder fair.

5. The marital or family relations of almost half the men were bad during the period following parole.

6. Great mobility continued to characterize the group during the post-parole period.

7. There was an appreciable decrease during the post-parole period in the number of men who were employing their leisure harmfully. Four-fifths of the 213 men using their leisure harmfully had bad associates; sixty per cent drank to excess, almost a fifth indulged in sex irregularities, over a fourth gambled; but almost half of the 326 men who had undesirable companions in the pre-Reformatory stage did not have them during the period following parole, and slightly more men gave up drinking than began it during the post-parole period.

8. The community's public and private agencies for social work are evidently not awake to the need and importance of constructive effort with ex-prisoners and their families.

Obviously, then, while there was some improvement among the men during the five-year post-parole period over their status preceding their commitment to the Reformatory, progress was far from what the potentialities are; and there is considerable room for more intelligent effort with ex-prisoners on the part of the community's organized resources.

Influence of the Reformatory. 1. In analysing the 356 cases as to which it was possible to determine the probable influence of the Reformatory,¹ the following findings stand out: The institution had no effect in improving the conduct of

¹ In 154 cases it was impossible, because of inadequate information, to determine the probable influence of the Reformatory.

36% of the men. Together with the parole system and perhaps other favourable outside influences, it did have such good effect in another 36% of the cases. In 13% the Reformatory may have had a good influence, but such influence was temporary and might have been due largely to the parole system rather than to the Reformatory regime. In 15% of the cases outside influences rather than the Reformatory or the parole system brought about some improvement in conduct.

2. It was found that the Reformatory's efforts are much more successful with young men who are skilled workers upon commitment, who have been meeting their economic obligations, and who have had no previous penal experience. This, of course, raises a question almost impossible to answer; namely, Would not such offenders have done equally as well if placed on probation? In other words, it is difficult, if not impossible, to determine how much of the desirable result in these cases is due to the efforts of the Reformatory and how much must rather be credited to the good qualities that the men brought with them to the institution.

Relation of factors to ultimate criminal status. Individual correlation of over fifty factors in the pre-Reformatory, Reformatory, parole, and post-parole careers of the men indicated that the following factors were *considerably* associated with success or failure in criminal conduct during the five-year post-parole period: the nature of the pre-Reformatory work habits of the men, their criminal or non-criminal conduct while on parole, the nature of their family attitude during the post-parole period, whether they were then compatibly married or single, whether their post-parole homes and neighbourhoods were favourable or otherwise, the quality of their post-parole work habits, whether in the post-parole period they were economically dependent or otherwise, whether or not they were then meeting their economic responsibilities to the family, whether they were then employing their leisure constructively or otherwise. Other factors were found to be appreciably related to the men's criminal conduct during the post-parole period, and many factors were found to be but slightly associated therewith, if at all.

Prognosis. On the basis of such findings it was possible to construct prognostic instruments for the use of judges and administrative agencies concerned with the scientific administration of criminal justice.

Opinions of ex-prisoners. 1. We found an appreciable recognition on the part of the ex-inmates of the Reformatory of the effect of their incarceration as a deterrent; and of its good influence in teaching trades, in affording regularity of life, and, to a less measure, in other respects. Almost two-thirds of the 301 men involved in this part of the research acknowledged benefits of one sort or another from their stay in the Reformatory.

2. Almost 70% of the known cases reported no harmful effects from their sojourn in the institution. Of the 30% who (with some contradiction on the part of a smaller number of ex-inmates) reported harmful effects, appreciable

numbers asserted that they obtained further schooling in crime in the Reformatory, or acquired bad habits, or made bad acquaintances; or that they found difficulty in industrial and social rehabilitation on their return to free life; or other evil effects of imprisonment.

3. General adverse criticisms (about 80% of the *general* criticisms were unfavourable to the institution, 20% favourable) were directed against the lack of intelligent classification of inmates, homosexual practices, unnecessary annoyances and friction due to petty institutional rules, the poor quality and attitude of the personnel, the inefficiency of industrial and academic instruction, and the deadly effect of routinization and the monotony of the Reformatory regime.

Obviously, then, there is considerable room for improvement in the Reformatory regime as well as in parole practice.

With this summary before us we are in a position to indicate the more significant lessons to be drawn from our inquiry.

2. *The Reformatory Regime*

Introductory comments. We have seen that four-fifths of the ex-inmates of the Massachusetts Reformatory have turned out to be failures so far as post-parole criminality is concerned. This is in striking contrast to the claims generally made that from two-thirds to four-fifths or more of the graduates of reformatories are "successful." Our finding indicates that the estimates of reform presented in annual reports and existing researches are based on an imperfect follow-up of the post-institutional history of offenders and upon judgments as to their conduct during too short a time following their discharge, or during their supervised parole period alone.

Do our findings mean that the Reformatory is a failure? Such a conclusion cannot be made without two important qualifications. In the first place, it must be remembered that in the vast majority of cases the Reformatory's task begins when most of the other social instruments for character-building have failed. It will be remembered that large percentages of our men were delinquent in early childhood, that many of them had passed through the truancy schools, juvenile courts, and industrial schools. A considerable number had had adult court experiences prior to the offence which resulted in their commitment to the Reformatory. Many had been given supervision by probation officers; an appreciable number had even served sentences in jails and prisons for adults. All these agencies had evidently failed to bring about any considerable or lasting reformation of character, if one may judge by the fact that the subjects of their efforts returned to criminal activity.

It should also be pointed out that the home, the school, and the church had failed to save these young men from delinquency and criminality.

Thus the Reformatory is expected to be successful in changing the attitudes

and conduct of youths who represent apparently wasted effort on the part of a good many of society's institutions.

Secondly, the Reformatory cannot be regarded as a failure without the qualification that while it did not turn away from a career of crime a large percentage of its former inmates, it did bring about *some improvement* in their lives. The men themselves admit some benefits, such as increased industrial skill, regularity of habits, and improved physical health; two-thirds of the three hundred ex-inmates who hazarded opinions acknowledged benefits of one sort or another, and 70% reported no harmful effects from Reformatory life.

Only, therefore, with two important qualifications—the fact that the Reformatory must deal with many young men who are the failures of other social institutions, and that in a number of ways it has benefited its inmates even though the vast majority of them have returned to a life of crime—can it be concluded that it has failed to turn criminals into law-abiding citizens.

The fact that the Reformatory is able to accomplish as much as it does under existing conditions gives promise that it could do much more if certain basic changes in its instruments and methods and in its background were effected. This brings us to a consideration of the Reformatory regime and its possible improvement.

Dead-weight of inertia and routinization. One of the most insidious forces at work in the administration of public office is inertia. Human nature readily drifts into a mechanical, routine attitude and practice towards its problems. Effort gradually abandons difficult paths for the easy ruts of precedent. All human institutions must resist this insidious transformation of the vital and progressive into the hardened and lifeless—the law, the Church, the State, and other institutions. The tendency towards crystallization, form, and ritual must continually be combated, and nowhere more so than in institutions that deal with offenders against the law.

The American reformatory, a device intended and designed to rebuild human character, has gradually been transformed into a well-oiled machine for avoiding friction; and this even at the cost of abandoning the very object of the reformatory, while clinging to its name and outward form. This stage has not yet been completely reached by the Massachusetts institution. But it has come to pass in a number of other so-called reformatories, a few of which are in reality prisons of the worst type. We shall see that constant vigilance and experimentation are necessary if such a fate is not also to overtake the Massachusetts Reformatory.

Classification of prisoners. Whether the original scheme of the proponents of the reformatory system to have a special institution for “young adults” is sound depends on what modern biology and psychology can tell us as to the special characteristics of adolescents and early post-adolescents. We leave this

question to specialists in the fields mentioned. But assuming that there have definitely been established certain vital distinguishing marks of the ages of, say, eighteen to twenty-five, and that these are intimately related to character development and deterioration, the specialized "young men's" reformatory should obviously be confined to young men, instead of being used for prisoners varying in age from fifteen to forty. Moreover, if it be intended to have a reformatory for young inexperienced criminals who for some good reason are probably unsuited to probational supervision, it should be the policy of judges and correctional authorities strictly to limit the reformatory population to those who are still, relatively speaking, amateurs in criminality. No hard and fast definition of this can be given, nor should it ever have been attempted. It is a question to be decided in the individual case after careful study by the social and psychiatric investigators attached to the court. The technical line now drawn between reformatory and state-prison inmates should be eliminated; and all cases where study of the individual personality and the soil in which it grew indicates promise of reorientation by a reformatory regime should be committed to a reformatory.

It might be argued that every case, no matter how "hardened," should be regarded as promising of reformation. So far as experience goes, however, this contention will not hold water. A deplorable proportion of criminals never reform. The reason for this may be our very imperfect technique. But at any rate, with the methods thus far tried by civilized society, *there has always been a considerable residue of persons who do not respond to any known form of correctional or punitive treatment*. Social facilities are limited, and emphasis must therefore be placed on the most promising human material. The great social need is to evolve, through experimentation, more efficient methods of analysing and remaking the human personality. But that is a task of colossal proportions; and until such time as definite progress in this direction has been reflected in a fundamental reconstruction of our correctional instruments, the existence of a portion of the criminal population, not only unamenable to modern rehabilitative methods, but permanently dangerous to society, must be reckoned with.

Within the institution itself, classification of inmates is of great importance. The shrewd opinion vouchsafed by some of the more intelligent ex-prisoners that the younger, less experienced inmates should be separated from the older, more hardened, can boast of support no less authoritative than that of the experts of the Ninth International Penitentiary Congress, held in London in 1925, which adopted the following resolution regarding the need of classification of prisoners:

"The prevention of the contamination of the less criminal prisoners by those more experienced in crime is one of the first essentials in prison treatment.

"After the necessary divisions according to age and sex have been made and the mental status of the prisoner has been taken into account, classification should be according to character and ability to be reformed of each prisoner. . . .

"The various classes of prisoners should be located separately and where possible in different buildings on the same ground under one administrative head."²

Some of the proposals of this resolution imply primary classification by courts; others involve sub-classification of inmates within the Reformatory. In both types the best possible psychiatric and psychological aid is necessary, as well as that of trained social workers.

The role of psychiatry, psychology, and social work in penal administration. Not only in questions of the classification of inmates, but in various other respects the psychiatrist, psychologist, and social investigator are important in penal administration. Some reformatories have no such facilities whatsoever. In the Massachusetts institution there has long been a physician who performs a number of functions, in which psychiatry evidently does not occupy the most important place. The absurdity of having a psychiatrist so overwhelmed with other duties as to compel him to make his examinations of new inmates months behind schedule need not be laboured. If psychiatry and psychology can offer any aid to the prison administrator, it is common sense to insist that the examinations and studies be made immediately upon the new inmate's arrival at the institution. The report of such examinations should early be made available to the head of the institution, the superintendent of schools, the chief of the industrial branch, the chief disciplinary officer, the chaplain, and others to whom it would be of assistance in understanding their charges. In connexion with these psychiatric studies the record sent to the reformatory by the court psychiatric and social staff should be verified and amplified by the institution examiners. The latter have much more time in which to make personality studies and have the advantage of daily observation of their charges over a long period and under more or less controlled environmental conditions. This should enable them, not only to make more thorough personality and character studies, but to plan and experiment with programs of mental and character therapy.

The objection has been raised against the regular use of psychiatry, psychology, and social case-work, not only in this important work of classification of offenders, but in the administration of criminal justice in general, that these instrumentalities are still in a highly experimental and formative state and that experts representing these disciplines frequently disagree when asked to give opinions. No student who looks at the situation objectively can deny

² *Proceedings of the Ninth International Penitentiary Congress held in London, August 1925*, edited by the secretary-general of the congress, Sir Jan Simon van der Aa (Bern, 1927), p. 369.

that there is considerable merit in this criticism; and the principle is self-evident that in a wise legal order we should proceed cautiously in absorbing methods or attitudes from outside of the law. But it must be said that the disagreement between experts has been "greatly exaggerated." On the fundamental symptomatology of the various mental and behaviour disorders most psychiatrists are coming to agree. On basic mental "mechanisms" many of them are more and more approaching agreement. True, there are some real differences of opinion on questions of *theory*, on attempts to account for the phenomena observed. But this is a healthy sign of a growing discipline; it is not absent in the law itself. There is also disagreement as to the effectiveness of various methods of therapy, which is likewise a sign of vitality. Again, in the realm of psychology, standardized intelligence tests of various kinds are admittedly far from perfect and are undergoing continuous modification on the basis of experiment. Yet their use is becoming more and more widespread as well as critical. Further, a complete, perfectly consistent set of principles of social case-work has not yet been developed; but a body of wisdom, based on experience, is gradually crystallizing, and scientific method is little by little being infused into social case-work. The imperfection in social-service technique did not prevent the rapid spread of the movement to substitute "constructive social work" for indiscriminate, mass-treating, wasteful, pauperizing "charity." Though the instruments for constructive social work are still far from ideally suitable to the purpose, nobody would seriously propose the return to the old methods of alms-giving. In the field of criminal justice, society has experimented for many years with mass-treatment and unscientific methods. Is it not time to make a serious effort at experimentation with the more promising techniques? Any system of diagnosis, classification, and treatment based on a responsible application of such scientific instrumentalities as exist, few and imperfect as these may be, is superior to a practice that treats human acts *in vacuo*, and human beings mechanically, perfunctorily, and in the mass, on the basis of impossible rules set down by the legislature in advance of the events to which they are to be applied by perplexed judges and penal administrators.

While, therefore, exaggerated claims have undoubtedly been made for twentieth-century psychiatry and psychology, and while some apologetic has thereby been rendered necessary, it cannot be seriously denied that these aspiring arts and sciences can and should play an important role in the administration of criminal justice.

And the general public is beginning to demand an expert approach to the problems of misconduct. A number of the more intelligent parents of our young men had hoped that the Reformatory would somehow determine whether their sons had some mental trouble which could account for their consistently bad behaviour. One Italian father complained: "The doctors should study the boys' minds and find out why they act that way. I thought that was what a reforma-

tory was for." This is but one illustration of the fact that helpless parents look to the reformatory psychiatrist for aid in solving a problem that has long baffled them, and that more stress needs to be placed on the work of psychotherapy and character-therapy in our peno-correctional institutions.

Only the enthusiastic amateur will fail to admit that psychiatry and psychology as well as social case-work still have considerable to learn and perhaps more to unlearn, not only as regards diagnosis of the individual and intelligent classification based thereon, but also and particularly with respect to therapy. As to this, Doctor Cabot's position is unquestionably unshakable.³ But if representatives of these arts and aspiring sciences do not experiment with methods of personality study and reorientation, who will? The point is that here are social servants whose specialty is just the one we are concerned with. The penal institutions offer an excellent field for young psychiatrists, psychologists, social workers, and clergymen who are not content merely to act as white-collar keepers of our penal zoos, but who see the need of experimenting with various ways of "helping people out of their trouble." Some means must be found to attract earnest and capable workers to this much-neglected missionary field at our very door.

The part that might be played by psychiatry and associated arts in other branches of the Reformatory's work will become apparent below.

The Reformatory school. Turning now to the chief instruments relied upon by the Reformatory in its work, we shall first consider its academic school. When one remembers that most of its inmates are educationally retarded, and that for many of them the word "school" has an unpleasant emotional connotation, the great importance of this branch of the Reformatory's regime becomes evident. In visiting institutional schools one cannot help observing on the faces of at least some of the students a half-amused, half-cynical expression. It is as if they said: "This whole business strikes me as foolish; but it's one way of getting out of a cell." Such an attitude must be broken down, and the chief means of bringing this about is a properly qualified teaching personnel. The fact is that persons are engaged in teaching prisoners as a "side line," largely because of the few dollars of extra income offered them. Yet the work of prison schools, dealing with adults who present particularly difficult problems and who are failures of the general school system, requires not only ordinarily good teachers, but exceptionally qualified ones—men and women with patience and ingenuity who possess training in psychology, in addition to their pedagogical equipment.

Our schools of education have not yet recognized the need of carefully selecting and training teachers for the particularly difficult and delicate work of rehabilitation of character deviates; nor, unfortunately, is there yet a demand for

³ See Foreword.

such instructors. The situation involves no less than a radical change in public attitude towards the crime problem, expressed in the recognition of the need for highly skilled institutional teachers at decent salaries, if our correctional institutions are really to "correct." There is also great need for special text-books for use with adults. Lastly, the school should definitely aim at developing a taste for good reading, by making the library an interesting and important feature of the school program. *The greater the number of legitimate outlets for mental, emotional, and æsthetic energy that can be acquired by a prisoner, the more likely is he to expend his efforts, when free, in socially acceptable channels.*

It is probable that a class in "practical morality" rather than the sporadic contact with a chaplain, or the traditional religiously toned Sunday-school, can be an effective instrument in bringing about a reorientation of the individual towards himself and his fellows. Such a subject, convincingly and fairly presented, might constitute the first effective approach to the meaning of duty and social loyalty and responsibility that many of the inmates have experienced. One man at Elmira expressed this with humorous naïveté, or perhaps with subtle satire, when he wrote to the superintendent:

"Gen'l Sup't:—Please helow me to attend the lectures on Practical Morality sundays fornoon. I ges I can pas examination. I would much like it, as I think morality is my weakest point."⁴

In connexion with the conduct of the schools the psychiatrist and psychologist can play an important role, not only in planning the curriculum and assigning students to the proper courses, but in matters of discipline. It was long ago recognized at the Elmira Reformatory that there are certain pupils who are not only a disturbing element in the school, but for whom specialized teaching methods and curricula are needed. To that end the Elmira institution created a "special training class" for youths of a particular type, the result being an improvement both in the teaching of such inmates and in their general demeanour in the institution, as indicated by a greatly reduced incidence of misbehaviour. That the Superintendent of the Elmira Reformatory clearly grasped the need of the "special class" is shown by the following quotation:

"In the course of the last year's experiment with the training class, more than one instance has come to our attention where the boys, before their assignment to the class, have not only been a detriment to the remainder of the population, but on the other hand, the strenuous, albeit salutary reformatory routine has actually produced in such cases, a condition worse, temporarily at least, than would normally prevail with these characters. Such conditions are likely to obtain where the boy in question is of a nervously high-tempered disposition which in the past or present he has made very little attempt to control. It would therefore appear that in instances of this character both the boy

⁴ A. Winter, *The Elmira Reformatory*, p. 86.

and the routine are not improved by mutual contact, until such time as the former shall perchance experience a change of mental attitude, incident to a more or less prolonged sojourn in the special training class.”⁵

Members of the special training class were supposed to have been given “special and personal attention from the instructor and management, to a far greater degree than would be possible in the regular routine.”⁶

Regardless of whether one approves or condemns the particular method employed at Elmira, the point is clear that in the field of prison education there is room for utilization of individual personality studies made by trained psychiatrists and psychologists or persons otherwise qualified to understand and guide human beings.

Trade school and shops. So also with respect to the teaching of trades the work of the psychiatrists and psychologist is an essential basis, not only in vocational guidance, but in improving the personal attitudes of the men and suggesting how their industrial inefficiencies might be remedied. The field of industrial psychiatry is just opening up; and not only can its principles be utilized to improve the industrial situation in penal institutions, but the latter can in turn serve as experimental laboratories from which industry at large might ultimately benefit.

A number of the more intelligent ex-inmates of the Reformatory have spontaneously suggested the value of expert aid in this field. One of them recommends “a searching examination on entrance to determine the occupational capacity and interests of a man, and to assign him to the job fitted to his characteristics.” A number of other former inmates expressed similar views in different language. “The inmate,” said one, “should be helped to work out a plan for work and interests at once upon his entrance. If possible an ambition should be instilled, while he is feeling upset and lonely on entrance, before he hardens.”

As to the trades taught, the machinery used, and questions of a like nature, it is not necessary to go into great detail. Certain principles should, however, be clearly recognized: In the first place, the machinery should be kept as nearly up-to-date as possible. Ex-inmates should not discover that, though they acquired some skill on a particular type of loom, they are unable to hold a job because the factory machinery is much more modern than the Reformatory equipment, and they are ignorant of its operation. But the important point to stress in this connexion is that the Reformatory should teach men certain *skills* rather than particular narrow trades, for which there may be but a fugitive demand in our fast-moving industrial era;⁷ so that if they are unable to obtain

⁵ F. C. Allen, *A Hand Book of the New York State Reformatory at Elmira* (Albany, 1916), pp. 129-30.

⁶ *Ibid.*, p. 131.

⁷ We have seen (Chapter XII, p. 198) that not much relation exists between the trades taught at the Reformatory and the occupations of ex-prisoners after their release from the institution.

employment at the precise occupation taught them, they will at least be well enough equipped in a general way to obtain some other employment. It is fair to say that thus far this has not been the method of approach in the great majority of penal and correctional institutions.⁸

Nor has it been recognized in the past that before particular skilled trades are taught, amicable arrangements with existing trade-unions must be arrived at. Unions should guarantee the ex-inmate at least a fair chance of being admitted to the ranks of organized labour.

This brings us to the entire problem of prison industries. Much criticism might be made of the present organization of industries, not only at the Massachusetts Reformatory, but in the great majority of such institutions. Two basic points stand out, however. First, the attitude of the State towards this problem must fundamentally change, and this attitude must be reflected in the policies and practices of our correctional institutions. Citizens must either definitely take the position that they are more concerned with having the institution make money for the State than in having it make men, or that they are fundamentally interested in the rehabilitation of offenders. This is not to say that the process of rehabilitation should exclude productive industrial enterprise on the part of inmates. On the contrary, training in steady industrial effort is one of the real needs of the young men sent to our reformatories. The point is rather that the efficiency of a correctional institution should not be judged primarily by the amount of money it is able to turn into the treasury. It is perfectly feasible to evolve a plan whereby much of the expense of the Reformatory can be met through the efforts of its inmates while a considerable part of the time of the inmates is devoted to their improvement. Perhaps a scheme for intensive industrial employment during half the day, and schooling, trade instruction, personal relationship with officers, and other activities during the remainder is the proper division. This accommodation has been found satisfactory in a few correctional institutions. But, here again, only actual experimentation should be the basis for change of policy. Planless "reforms," emotionally motivated, have done more harm than good.

The second basic point in this connexion is that, whatever the scheme for putting productive industry into its proper place in the correctional regime, inmates should be given a decent wage as an incentive to good work and as a means of financial aid to their families. The recent Massachusetts legislative concession⁹ is but a meagre beginning; it should be extended on the basis of results.

⁸ The recent appointment of a superintendent of trade and academic schools at the Massachusetts Reformatory should bring about desirable results as to the several points noted; indeed, improvement is already apparent. There seems to be no good reason why this superintendent should not also have general charge of the industrial shops, so that productive work as a means of state income can be intelligently co-ordinated with the trade school and academic instruction.

⁹ Obtained through the tireless efforts of Commissioner Bates, supported by civic organizations.

Recreation. While the Reformatory is doing some good in providing recreational outlets for the men, more emphasis should be placed on constructive expenditure of physical and mental energy. The Monday Night Club at the Massachusetts Reformatory and similar organizations in other institutions are affording some opportunity for self-expression. The aim should be to evolve such activities as give as many inmates as possible an opportunity to carry responsibility for the success of the enterprises and to participate personally in athletic events, debates, dramatics, and similar activities.

Rules. A strong evidence of the insidious influence of inertia in the Reformatory regime is to be found in the multiplicity of rules, a number of which are avoidably vexatious to the inmates and thus defeat the administration's purposes. No one will deny that discipline and rules are necessary. But we have several times had the experience of asking for the rationale of an institutional rule only to receive some vague, unconvincing explanation. The truth seems to be that the reason why there are so many vexatious rules is that "that's the way it has always been." Some of these rules can only be described as the vestigial remains of the last glacial advance in penology. Some inmates have pointed out that "fussy rules," unnecessary prohibitions, lead to smuggling of contraband articles. All this produces a lawless state of mind; it trains men in circuitous law-breaking, and leads to general approval of such violations. These are certainly not favourable psychological conditions for the reformation of character!

Alert institution administrators should from time to time test out the necessity and efficacy of rules; ask themselves whether the conditions which brought the rules into being have not long since disappeared. Here is an opening for the initiation of an intelligent self-government system.¹⁰ Inmates qualified by good conduct and otherwise might be asked to elect a committee on institution rules to confer periodically with the superintendent and to suggest modification or elimination of old rules and adoption of new ones.

The question of the enforcement of institution rules is also important. Petty or petulant insistence upon technicalities, or any practice which gives the impression of unfairness, arouses unfavourable reaction in the minds of the men. Here again, there is room for some democratic representation of inmates, in spite of the fact that in the particular institution studied, the deputy in charge of discipline impresses one as a fair-minded officer.

Discipline. In connexion with disciplinary problems the institution should also have psychiatric and psychological advice. The thoughtful penal administrator will testify to its need, and it cannot be given if the institution psychiatrist is loaded down with too many other duties. At present little more than repression or varying degrees of brutality can be resorted to in most institutions when

¹⁰ See the writings of Thomas Mott Osborne, and the excellent recent (1928) work *Die Selbstverwaltung der Gefangenen*, by Clara M. Liepmann, Vol. XII of the *Hamburgische Schriften zur Gesamten Strafrechtswissenschaft*.

an inmate rebels and threatens to disturb a routine which sometimes ought to be disturbed. We cannot consistently urge that problems of conduct occurring outside of prisons need to be studied before they can be understood, and at the same time allow primitive means of repression of recalcitrants in prisons to be resorted to. Merely to punish the occasional rebel by solitary confinement or otherwise will hardly bring us nearer to an understanding of what made him act as he did. The psychiatrist may not be able to furnish an immediate explanation of each case of recalcitrancy, still less to advise as to more enlightened means of control, but he can at least put his mind on the problem as a specialist. He can observe, describe, compare, and experiment with various types of treatment of misbehaviour. Only in this way can we ever build up a body of reliable technique and knowledge.

The "personal touch." Thus far we have spoken only of the more obvious weaknesses in the institutional regime, and the more patent means of improving the effectiveness of its instruments. A much more fundamental matter remains to be discussed. A number of former prisoners have complained that once they entered the Reformatory, they became part of a vast impersonal machine and were compelled completely to submerge their individual personalities in the whole. Some have protested that the important officials of the institution rarely greeted them or showed a personal interest in their problems. The question raised is not confined to penal institutions. It is one that our best universities are today faced with. The ever-growing classes and the necessity for routinization of vast enterprises have a tendency to depersonalize the teaching process. A student may pass through a large university without once having a heart-to-heart talk with a professor. In such a state of affairs, perhaps the best values to be derived from a college education—personal relations with good minds and characters—are evaporated. There is no room for them within the relentless and impersonal grinding of the academic machinery. How much more needed is individual attention and personal interest in the case of young offenders!

But how shall this vital need be supplied?

In the discussion of the Reformatory regime in Chapter III we found some evidence of what might be designated as "cafeteria penology"—that is, the attitude that the "Reformatory should not be expected to turn out reformed men, but men must themselves reform." This philosophy may lead to the view that it is the duty of the officials to point to the Reformatory's bill of fare and let the inmate eat or starve. On such a basis one could never hold the Reformatory officials responsible for results. It should, however, be unnecessary to point out that the inmates of the Reformatory have throughout life demonstrated their inability to select the proper fare. Their histories, as we have seen, indicate an incapacity or disinclination to "reform themselves." Their careers show that not the negative, cafeteria penology is needed, but positive, planful effort on the

part of all officers of the institution to meet the inmates more than half-way, and by example and teaching to arouse in them an active and enduring desire for betterment.

Here is a crucial problem wherein initiative, inventiveness, and alertness to guard against inertia are needed. Some effort in the general direction indicated is of course being made. Such, for example, is the work of the Reformatory physician in helping the inmate to develop a plan. But to assume that this brief contact has permanent or fundamental results in the vast majority of cases is unwarranted. A much more stimulating and continual process of personal contact is necessary within the indispensable framework of institutional routine if a real approach to the mind and heart of an inmate is to be made.

It is relatively easy to subject all men to the same regime and have them march *en masse* through the various stages of that routine. It makes — what is so often somewhat irrelevantly praised — “a smooth-running institution.” But inventiveness, alertness, patience, and the “milk of human kindness” are required if one would go farther and evolve a series of modifications of the central, routinized regime whereby individual, sympathetic attention can be given to inmates according to their peculiar needs.

How shall this be brought about? Considerable experimentation is necessary on the part of institution officials before they can work out a practicable and efficient scheme for the purpose indicated. But as a beginning one might suggest that if the inmates of each block or group of cells were allowed to meet several times a week with a personal adviser, each unit having its own specially qualified officer for this purpose, the results might be expected to benefit both the institution and the inmates. The institution's policies, difficulties, and honest desire to aid its inmates could thereby be personally and intimately communicated and interpreted to the prisoners. On the other hand, the inmates would be given an opportunity to voice their opinions, desires, criticisms, notions of “fair play”; and they would profit from personal relations with men whom they could respect. If such reformatory “tutors” would keep careful record of the different methods utilized to bring about changes of attitude and to develop worthy ambitions, and if they would later correlate these processes with the success or failure of their charges when they are released, we should for the first time in penological history be accumulating the basic materials for the inductive development of a system of reformative methods to be used in the improvement of future inmates.

In connexion with such work, periodic staff conferences of the institution's officers should be held. It is an amazing fact that in the vast majority of our penal institutions the officers rarely if ever have professional conferences to exchange ideas and make suggestions based on experience. About two weeks after the new inmate's admission, a case conference should be held to consider the data regarding the characteristics, home background, developmental and employment

history of the newcomer and to make a plan for his individual treatment (as nearly as an institution permits of this). Periodic conferences should thereafter be held for the purpose of noting progress and changing treatment if necessary. Only in this way can the individual inmate be assured against his being "lost in the shuffle." A few weeks before the inmate is to be considered for parole a case conference should be held to determine upon a statement of progress in the various departments of the institution, at which the opinions of the various officials as to the inmate's possibilities, points to be noted by the parole agent, and the like, can be expressed.

Prison democracy. We see no convincing reason why some system of inmate self-government should not be developed by the Reformatory in connexion with the procedure already suggested. Perhaps the greatest single need of our men is a demonstration and practice in living "the social life." Unless they are given opportunities to develop habits of co-operative living, unless they are taught to make necessary compromises for the general good, unless they taste of the rewards of a peaceful living together with their fellow-men, how can they be expected to behave properly when they are returned to freedom? The argument is frequently advanced that "prison democracy" has been tried in various institutions, but has failed because there are a number of people who "take advantage" of the scheme or because certain inmates, when left together, indulge in abnormal sex practices, or plot against the administration, or because "a few politicians" soon have control over the other inmates. The obvious answer to this argument, which we have heard in connexion with the Massachusetts Reformatory, is that prison democracy should be confined to those who are able to profit by it and to partake of its obligations as well as its advantages. Other inmates—those of mental or characterial deviation so pronounced as to interfere with the democratic process—should be excluded until they have demonstrated their fitness to partake of the experiment. Here again, sound psychiatric and psychological assistance is an indispensable adjunct to the judgment of the administrative head.

There is no valid reason why a change of spirit in an institution, a greater personal attention to the individual, a practice of keeping in touch with former inmates and assisting them as much as possible to rehabilitate themselves, should not be reflected in a better attitude of the prisoners. Indeed, as we have seen, ex-inmates are on the whole very fair in giving due credit to the institution for what they conceive to be its beneficial influences. Criminals now refer to the Reformatory as "the college." There is no reason why some of the ironical content of the designation should not be replaced by a genuine and sincere sentiment that the Reformatory is essentially an educational or re-educational institution, interested first and last in understanding and aiding its charges.

Personnel. The recommendations made as to the institution's psychiatric and psychological service, its school, trade instruction, and recreational program, and

the establishment of more personal relations with the inmates all raise the important question of reformatory personnel. Unless and until we are willing to recognize that the finest minds and characters are needed for this most difficult of all educational enterprises, we can expect no better results from reformatories and other institutions than we are getting today. By saying this we do not mean that institutional officers should necessarily be college graduates. We mean they should be men of ingenuity, character, and zeal for their work. They should be the sort of men whom prisoners can respect and will try to emulate. If the reformatory process operates largely through the "personal touch," and we are convinced that it does, men and women of exceptional qualifications of mind and heart, and of missionary zeal, must somehow be found for the work.

The situation would seem to indicate that our colleges and law schools should begin to institute courses for carefully chosen candidates for correctional work. Such candidates can be attracted only if the state is willing to pay them decent salaries, incomes at least commensurate with the scale of pay of high-school teachers in our larger cities. It must also be remembered that institutional work is extremely strenuous, and the hours of labour and the pension system should take this into account. The heads of our institutions should be as carefully selected as we today choose heads of colleges, and political considerations should be ruled out. Prison officers should of course be able to look forward to promotion and to the possibility of becoming superintendents of institutions. But the precedent should be established of choosing exceptionally able and earnest men and women to head our correctional institutions, of compensating them properly and giving public recognition to the high social worth of their profession.

The time element. The foregoing sketch of fundamental improvements needed in the reformatory regime indicates that a greater time must be permitted for the accomplishment of the purposes of the institution than is at present allowed. To expect prisoners to master trades or develop all-round industrial skill, build up physically and mentally, change deep-rooted attitudes, break habits of long standing—all this in little over a year is absurd. Here again we have an illustration of the natural tendency towards inertia. The indeterminate sentence should logically be of truly indefinite duration. Its sole aim is to release a prisoner only when, by such tests as it is possible to evolve, there appears to be a reasonable certainty that he is fit for social rehabilitation. At its very inception, however, a compromise was made with the old practice of fixed sentences. We need not here go into the merits or necessity of that accommodation. The point is that after such sentences as the "five-year indeterminate" were adopted, institutions and parole boards quickly slid into the groove of releasing practically all prisoners under such sentence when they had served some fourteen or fifteen months of the five-year span. The evil effects of this practice in the case of our group of parolees have been indicated. It is a betrayal of the very principle of

the indefinite sentence, and shows clearly that while we think and speak of the "indeterminate sentence," in reality we have the old fixed sentence under a different name. There is no reason why the five-year indeterminate sentence should not be truly indeterminate within the five-year span, and why John Jones, if his equipment and change of attitude merit it, should not be released in six months, while Bill Smith should be kept two years, and Jack Robinson five years. Yet the vast majority of men are released after serving the same length of time. Moreover, that time is too brief to accomplish much of lasting value. Certainly, no one will deny that fourteen or fifteen months is not a long enough period in which to bring about any fundamental changes of habit and character. Here again, in addition to considering individual differences in need, reformability, and conduct, experiment is necessary to determine what time is needed to equip the "average inmate" with industrial skill sufficient to prevent his forgetting what he has learned, with enough academic knowledge to enable him to maintain at least a carefully defined minimum standard, and with other equipment likely to render his rehabilitation possible. But it should always be stressed that in making general plans for the usual inmate, sufficient flexibility must be retained to take account of the extraordinary case.

3. *Parole Administration*

Personnel of board and officers. This brings us naturally to the administration of parole. If we are to have a parole board, its personnel should be of the highest qualifications for the work, and their appointment should be made without political influence or considerations. The board should be governed by a scientific attitude mellowed by a wise understanding of human nature and of the community's resources and responsibilities. In its work of determining who shall be released on parole, it should avail itself of some such scientific device as the prognostic tables proposed in Chapter XVIII. It should devote full time to its duties, so that each case can be carefully studied in the light of informative case records. The question must be seriously faced whether a separate parole board is at all necessary, and whether its functions had not rather be assumed by the new type of tribunal discussed below.¹¹

Parole officers, too, need to be of the very highest quality so far as intelligence and character are concerned. Preferably they should be men of good education, who have not thereby lost contact with "the man on the street." They should also be trained in the principles of constructive social case work.

Parole technique as social case work. The parole problem is essentially a problem in case work, particularly in family case work. We are accustomed to speak of the "individual delinquent," as if he existed and acted as an isolated and insulated unit. But Doctor William Healy, the distinguished originator of this

¹¹ P. 332. A number of experts on the Harvard Crime Survey are at present engaged in a careful analysis of this entire problem.

pregnant phrase, would be the first to acknowledge that it is primarily in *family* relationships that the attitudes and character of the young are formed; and that the most effective way of working with the individual offender is in and through his family. Given a hostile or ignorant family, it is almost hopeless to expect a transformation in an individual member. With a co-operative, understanding group to whom their responsibilities as well as those of the offender can be made clear, there is some hope for success. Certainly it is futile to expect any fundamental change of traits when the ex-inmate returns to a family situation as bad as that which prevailed in so many of the homes of our young men.

Parole supervision should be much more intelligently planned and executed than it is today. The parole officer should from time to time visit the prospective parolee in the institution and establish friendly relations with him several weeks before the prisoner is released. He should prepare the family to receive the newly-released member. He should utilize facilities for vocational guidance, and official employment bureaux, in arranging for work suitable to his charge's achievements in the institution and his possibilities in freedom. He should help the ex-prisoner to rehabilitate himself socially, to become associated with organizations for the proper use of leisure. The parole officer's chief aim should be to convince the offender and his family that he desires to be a true friend, one who will help the ex-prisoner in every reasonable way, but who will also insist upon the assumption and the successful carrying out of responsibilities by his charge.

Obviously, if parole workers are to do intensive case work of a constructive nature, the case-load of the individual parole officer must be reduced to a manageable size. The officer should not have more than forty or fifty ex-prisoners and their families under his friendly guidance at one time. It is absurd to claim that we have "parole" when but a superficial, mechanical surveillance exists. It is refreshing to note that the former president of the American Prison Association, a penologist of long experience, has frankly asked his colleagues to face the facts:

*"The time is now ripe for frank recognition that to a deplorably large extent, our methods of administration of sound reformatory principles like the indeterminate sentence, parole and probation have been weak, often trivial and even wretchedly automatic."*¹²

The condition correctly described will continue so long as we maintain underpaid, untrained officers and load each one with a hundred and fifty to two hundred or more cases at one time. It would be much less self-deceptive, more economical, and more fair to the general public to dispense entirely with this species of "parole," if we cannot have the procedure that is really called for.

¹² *The Crime Problem*, by E. R. Cass, President's Address, American Prison Association, Fifty-eighth Annual Congress (1928), p. 11.

There is another important point to be considered in this connexion. That the transition from supervised, routinized intramural life to freedom on parole is too abrupt, all intelligent penologists will agree. We have seen¹³ that Crofton recognized this weakness long ago, and arranged for a series of steps constituting a gradually increasing relaxation of control until the prisoners were completely unsupervised and independent. Here again, only experiment will prove what means of gradual transition between the institution and complete freedom are best suited in different places and with different types of offenders.¹⁴ This problem is obviously related to the type of parole supervision actually given in a particular place and to the nature of existing social agencies for the rehabilitation of former prisoners.

A word as to the record system which is and ought to be kept in a parole office that is desirous of doing good work. The parole office must institute an intelligible system both of records of supervision and of case histories. No business can nowadays long endure without a sound book-keeping system. "Parole slips," such as are used in Massachusetts and elsewhere to record visits made by officers, should be done away with. They readily get lost and invite perfunctory, brief notations on the part of officers.¹⁵ Case histories of each parolee should be kept, and the progress of the parolee should be noted thereon and made part of the record. This is the accepted practice in the better probation offices;¹⁶ it consists of an intelligible running record of steps taken and results achieved, and affords an economical and accurate basis for research.¹⁷

4. *The Reformatory and Parole in the General Process of Criminal Justice*

Thus far we have spoken only of the reformatory and the parole system, those constituents of the general process of criminal justice which were analysed in this book. It must be remembered, however, that important stages in that process precede and greatly influence the regimes of reformatory and parole. In a way it must be concluded that until the steps in criminal procedure which go before the work of the reformatory and parole systems have been greatly

¹³ Pp. 17-19.

¹⁴ An interesting suggestion on this point was made by the father of one of the ex-inmates of the Reformatory. He proposed what might be called *local day reformatories* as a step between incarceration in the Reformatory and complete self-responsibility. These institutions would contain schools and workshops, with directed use of leisure; but their inmates would return home each evening, spending the night away from the institution with the family. After a satisfactory period of such partial freedom, parole supervision would follow, until the ex-prisoner is regarded as well on the road toward social rehabilitation.

¹⁵ See Chapter III, p. 51.

¹⁶ Consult E. J. Cooley, *Probation and Delinquency*, and Fred R. Johnson, *Probation for Juveniles and Adults*.

¹⁷ See Chapter V, on method, which indicates the difficulties encountered in attempting research under the existing hit-or-miss system.

improved, it cannot be said that any community has as yet given true reformatory methods a fair trial.

Consider, for example, the courts, probation services, and industrial schools for juvenile delinquents. They are still in a rudimentary and imperfect state. The fact that so many of our young men began their careers of delinquency in early childhood and that so many had passed through our schools, juvenile courts, probation services, and industrial schools without apparent effect in curbing their criminality raises a serious question as to the real efficacy of existing social agencies concerned with problems of childhood.¹⁸ But this study is not concerned with the needed reforms in the treatment of juveniles more than to point out that the test of the value of such treatment is whether or not large percentages of prisoners coming before *adult* courts continue (as they now do) to have a history of prior juvenile-court appearances.

We may now briefly describe and evaluate certain of the processes employed in the case of adult criminals.

Probation. Passing over the important problems that the modern police force should deal with if it is to take part in the work of crime prevention,¹⁹ and if it is to take an important hand in inspiring youthful offenders with the proper attitude towards society when first they come into contact with the law, let us consider our courts for adult offenders.

In most of the criminal courts a truly objective attitude towards criminals and a scientific sentencing procedure are as yet unknown. It is true that many judges are under the comforting illusion that, because there is a "probation officer" attached to the court, they are in the vanguard of progress. They think that because the probation officer, after a superficial consultation of imperfect criminal records, is able to tell them a fraction of the prisoner's prior criminal history during a few minutes' conference, they are dealing "scientifically" with the human being before them for sentence. But this is probation only in name, and since it gives currency to a "counterfeit presentment" of constructive probation work, which does exist in a few places, it is worse than useless. Here again, the confession of the president of the American Prison Association must be taken to heart by courts and probation officers.

One of the great tasks to be performed by workers in delinquency is to evaluate existing practices in this field, and present them in their true light to judges and leaders of public opinion. It is necessary that more tribunals like that of the New York Court of General Sessions, for example, consciously enter upon

¹⁸ The scientifically compelling study of the actual efficacy of juvenile courts has not yet appeared. It must be based on nothing short of a thoroughgoing investigation of the careers of a fair and considerable sample of juvenile delinquents during a reasonable period following their court appearance. Dramatized bits of "real life" are interesting and instructive, but cannot take the place of such a study. Some sound notion of the efficacy of a particular court can of course be indirectly obtained through an analysis of the quality of its hearings, probation work, etc.

¹⁹ See the works of Raymond Fosdick, Leonard V. Harrison, Arthur Woods, and Chloe Owings on these problems.

a scientific program of probation practice. Probation needs to be far more than another "lenient disposition" of cases. If it is to justify its existence as the most promising contribution to penology during the last half-century, it must be constantly concerned with evolving better methods of diagnosis and supervision of cases, record-keeping, and research into results. All claims of "success" on probation are open to question of one sort or another, and they must remain so until thoroughgoing follow-up studies into the subsequent careers of former probationers are instituted. There is a rich field here for research. There is great room for experiment with various types of supervisory processes. There is need for careful notation of the means employed by individual probation officers to bring about improvement in attitude and conduct in their charges. Only by noting the practices that bring good results and those that bring bad or negative results, reflecting on such data, and drawing conclusions therefrom shall we have the instruments of reorientation of offenders that today we so sorely lack. Moreover, unless we do this, our probation system will become even more mechanized, our processes more routinized, than they are today; and here, as with parole, our courts and probation officers will continue to labour under the self-deceptive delusion that they are accomplishing great results. As this is not a research into probation, it is unnecessary to go into details. One thing is certain—that those probation offices which pride themselves on the large sums collected from recalcitrant spouses should reflect on the fact that they were instituted to be something more than collection agencies, however meritorious their work in that respect may be.

Need of reconstruction of court procedure. It is beginning to be the conviction of an increasing number of thoughtful students of the problem, that before a court can act scientifically in imposing sentences, it must be aided by a staff of scientists in fields to which "dogmatic law" is foreign and of which lawyers are not infrequently very suspicious. It would seem that a prerequisite to a really scientific judicial procedure in coping with the problems of criminality is the strict separation of the guilt-determining function from the treatment or sentence-imposing function.²⁰ The former is a problem in substantive and procedural criminal law; the latter is one in psychiatry, psychology, and social case work. When once these two functions are disentangled and placed in their proper place in the general procedural scheme, it will become apparent that the latter cannot be successfully performed by men whose whole training and outlook has been a legal one. For the purpose of diagnosis and treatment of individuals of antisocial conduct and character the judge might just as well be trained in Sanskrit as in the law.

²⁰ A few of the questions and implications of this reform are briefly touched upon in S. Glueck, "Principles of a Rational Penal Code," *Harvard Law Review*, Vol. XLI, No. 4, February 1928, p. 453, reprinted in *Mental Hygiene*, Vol. VIII, No. 1, January 1929, p. 2. This complex problem has for some time been receiving the careful attention of the committee of experts of the Harvard Crime Survey. The new (1929) Mexican Penal Code contains some of the features of this advanced regime.

The courts are the mouth of the great hopper into which the police annually pour thousands upon thousands of antisocial individuals. They are therefore logically the place where intelligent preliminary classification of offenders should occur. The basis of this is a careful personality examination and social investigation of each case by means of technique already partially developed and in process of improvement. If, before the "Elmira system" or any other new departure in penology had been adopted, the structure and functions of the courts had been planfully reorganized, we should today be farther on the road towards a sensible management of the problems of delinquents and criminals. We should not, for example, have middle-aged men, insane, feeble-minded, young delinquents, hardened criminals, sex perverts, alcoholics, and drug addicts all committed to the same institution, which somehow, by the mere fact that it is called a reformatory, is expected to pass all this mixed grist through the same mill and to obtain a uniform, socially acceptable product.²¹

Persons found guilty of crime should as a matter of course be committed to a central psychiatric, psychological, and social "clearing house"²² for examina-

²¹ "Conditions still exist which prevent our having reached the modern conception of a reformatory, the chief of which is the presence in this institution of the following: (a) 56 who have served terms in prisons and penitentiaries, (b) 22 received who were over 30 years of age, (c) 39 who have served terms in other reformatories, reform and industrial schools, (d) 41 who have served terms in Eldora, (e) 4 who were formerly inmates of the Department for the Insane," *Biennial Report of Board of Control of State Institutions, Iowa, for Period ending June 30, 1918*, p. 5. Compare the composition of the Massachusetts Reformatory population in Chapters VII and VIII.

²² The classification prison or clearing house at Sing Sing Prison is a good illustration of the sort of clinic necessary for this purpose. It grew out of the work of Dr. Bernard Glueck, who organized the first psychiatric clinic at Sing Sing over a decade ago. See Bernard Glueck, "A Study of 608 Admissions to Sing Sing Prison," *Mental Hygiene*, January 1918, p. 86. The present Sing Sing "clearing house" is still largely a proposal, although there appears to be strong legislative support and informed public opinion in its favour. This classification clinic of offenders will have no relation to the courts, however, since all examinations are to be made after the individual is sentenced by the courts. The rule provides that all sentenced prisoners are to be psychiatrically and psychologically examined on their admittance and prior to their appearance before the parole board, the results of such examination to be available to that board. Every parole violator returned is to be examined. Prisoners are also to be referred to the clinic for examination from time to time and to be transferred, where necessary, to the institution for defective delinquents at Naponach and to the hospital for the criminal insane. The psychiatric clinic will also be represented on the "assignment board" which designates the employment of the inmates, at the "Warden's court," which passes on all complaints for infraction of rules, and at meetings of the parole board. To some extent this procedure is now in operation, the Sing Sing clinic being composed (1929) of a psychiatrist, an assistant psychiatrist (with appropriation available for another assistant), a psychologist (with appropriation for an assistant), two field investigators, two stenographers. But, as Warden Lawes has written us (February 2, 1929), the clinic is just beginning to function and the personnel will doubtless be enlarged. "In the new plan of operation, it is proposed that all prisoners on being sentenced shall first be sent to Sing Sing Prison, and after a thorough examination in the clinic by both the psychiatrist and psychologist, they shall be distributed to the various penal institutions. However, before this can be definitely accomplished each prison will have to be fitted to specialize and not generalize in its treatment of inmates. Our new buildings and especially the laboratories and clinics have been planned with an eye toward the probable adoption of this system."

tion. After a report has been rendered to the specially qualified sentencing court, the treatment necessary to the individual case should be carried out.

In addition to this original classification the clearing house can also be of service in the reclassification of offenders where some fundamental change of treatment is contemplated.

Recently the Commissioner of Correction of Massachusetts recommended a special annex to the Massachusetts Reformatory to which men who fail on parole from the Reformatory can be sent.²³ This was done "to carry out the original idea of the reformatory and at the same time enforce the parole law," by confining in the annex "men who have been returned for violation of their paroles and who are in the judgment of the department not proper subjects for further reformatory treatment." But if we are to have scientific classification, the mere violation of parole should not be taken as the criterion of irreformability. Instead, the circumstances of parole violation in the individual case should be carefully inquired into; the psychiatrist, psychologist, and social worker of the clearing house should then determine where to classify the parole-violator.

But to set about fundamentally changing the machinery and attitudes of our courts is a tremendous task. It presents problems that it will take years to recognize and decades to solve. It involves fundamental *bouleversements* in traditions, radical changes in criminal procedure, the training of special personnel, and many other vexing problems. Meantime, while awaiting such basic redesign and realignment of the machinery of criminal justice, capable psychiatrists and psychologists and probation officers attached to existing courts can do much in the important work of primary diagnosis and classification of the individual offender for the purpose of proper correctional treatment.²⁴

Use of prognostic devices. In connexion with the sentencing procedure prognostic instruments of the type suggested in Chapter XVIII should serve to render the work of judicial personnel more planful and to educate judges in interpreting social and psychiatric histories. They should also have significant research value for both the causation and the therapy of criminality. By indicating the various degrees of success achieved under the different existing peno-correctional regimes, and pointing to the more important causes of failure, such instruments might be the basis of an intelligent reconstruction of the entire program of penal treatment. They seem already to suggest the need of specialized institutions with particular forms of educational and mental therapy, such as special industrial farms for chronic inebriates, particular institutions for psychopaths, different varieties of extramural supervision and treatment. At the very least, scientific prognostic instruments should serve to invest the entire process of criminal justice with a sense of reality, a service which, because of the

²³ House Bill No. 95, the Commonwealth of Massachusetts, January 1926.

²⁴ See E. J. Cooley, *op. cit.*, for a clear account of what is probably the most forward-looking and scientific adult probation work in existence.

tendency of criminal justice to flow in artificial grooves of outworn precedent, is sorely needed.

Other improvements in the existing procedure with reference to adult offenders, such as improvement of the jury system, simplification of criminal procedure, and similar features of current crime-survey reports, might be discussed. But the weaknesses they are designed to eliminate are insignificant as compared to the fundamental imperfection — the illogical confusion of the guilt-determining function with that of the correctional-treatment function. Reorganization of the aim and operation of the courts is unquestionably basic to any significant reform in the administration of criminal justice.

5. *Attitude and Responsibility of the Community*

Thus far we have spoken only of the actual machinery of criminal justice. But that machinery does not function *in vacuo*. In two important respects the environment of the mills of justice must be considered: first, with reference to the basic problem of crime-prevention; secondly, in regard to the rehabilitation of ex-prisoners.

Prevention of delinquency. It is poor statecraft and worse economy for us to spend most of our energies and income in tinkering with the machinery that deals with existing criminals. The best thought, the most zealous effort, the richest purses, should rather be expended in attacking those problems whose solution will tend to reduce the number of *new* delinquents and criminals.

We have seen that the families from which a good many of our offenders spring are in various ways not healthy components of a young and vigorous society. The social sore of broken homes presents a tremendous problem in itself. The high incidence of vice and crime in the families of our young men constitutes another challenging situation. Family welfare organizations are of course alive to the widespread incidence of unhealthy, distorted, or broken homes. The forces involved in bringing about this unhealthy social situation are, however, more subtle and deep-rooted than appears on the surface when, in some crisis, the social worker turns up on the scene to begin her belated efforts at patching up.

Bound up with the twisted and broken home life of many of the families of our young men, entangled in the vice, crime, bad companionship, and bad habits of their parents, siblings, and themselves, are lack of education, lack of industrial skill, unemployment, dependency, poor housing-conditions, biologically unhealthy mating, parental irresponsibility, and other factors of a like nature.²⁵ Here is a complex of evils which clearly indicates that forceful and

²⁵ In Chapters XVI and XVII it was shown that many of the factors considered in this study were but negligibly related, if at all, to the post-parole criminal conduct of the men. This does not mean, as we have already emphasized, that those factors may not have played significant roles in the *origin* of careers of delinquency. To the extent that it was possible, the family and personal

far-reaching attacks are necessary along the entire front of social pathology if we would cope with the causes of delinquency. One-sided theories of causation, single nostrums or patent medicines, can neither explain nor remedy the criminal situation. We are dealing with a complex phenomenon and the preventive efforts must take that fact into account.

Some of the preventive work involves factors that lie relatively near the surface; hence social programs in connexion with such factors can be immediately undertaken or extended. Other crime-preventive work must be concerned with more deep-lying forces of our contemporary civilization, upon which a much more fundamental attack is necessary.

As one illustration of the first type of problem and of a possible approach towards its solution, let us consider the fact that so many of our young men had vicious habits and associates and no definite contacts with the community's resources for the constructive use of leisure. Both the statistical findings and individual case histories lead us to the conviction that we are dealing with a sample of the population (the size of which it is difficult to estimate) who are without attachment or a sense of responsibility to legitimate neighbourhood or recreational groups. They are thus devoid of socially acceptable outlets for release of energy. In a busy, industrial, urban community of individualists they drift among the general population unattached, unclaimed by any but the lowest elements. Among these alone they develop a sense of solidarity based on mutual interests, grievances, and antisocial attitudes. Settlement houses, school community centres, church centres, boys' and young men's clubs, are evidently not functioning to their possible capacity among those who need their guidance and inspiration most. This conclusion is forced upon us when we consider the low percentage of young men in our group who had any attachments or loyalties of a constructive nature, and when we compare it with the high incidence of disintegrative and vicious influences, such as excessive alcoholism, sexual vice, gambling, bad companionship, and delinquency.

Without going into detail as to the means of coping with this situation, we can only emphasize this obvious evasion of social duty and suggest that intelligent community organization, based on careful survey of community facilities, needs, and liabilities, offers probably the most promising means of attack upon the problem.²⁶

Here too must be mentioned such important constructive efforts as the Boy Scout organization, the Pathfinders, the playground and recreation movement,

conditions of our men were compared with those of the general population, and wherever there was a markedly greater incidence of some deleterious factor in our group than in the "control group," that point was noted.

²⁶ School centres of leisure activity, for various good reasons, might be the focal point for organized community effort in continually combating at least some of the forces that appear to make for juvenile delinquency. See Eleanor T. Glueck, *The Community Use of Schools* (Williams and Wilkins, 1927), and Arthur E. Wood, *Community Problems* (The Century Co., 1928).

and others of like nature. The work of these agencies is still far from perfect. They should be more concerned than they apparently have been in the past with problems of research, in order to determine why certain children and adults fail to be attracted by their facilities, and what might be done to improve the techniques employed by such agencies. Little if any reliable research has been made into the actual results of the activities of these agencies. Continual, careful self-audit is indispensable to healthy growth.

Another illustration of the type of work that can be immediately effective and should be encouraged is furnished by the mental hygiene, visiting teacher, and child-guidance movements. This is important, not only for the children, but for their families. Parents need perhaps more guidance towards healthy physical, mental, and moral life than do children. Certainly, we are beginning to learn that it is futile to treat the child, delinquent or otherwise, as an isolated orphan apart from the family that contributes much to make him what he is. Child-guidance clinics might therefore well be transformed into family-welfare seeking and giving sound mental hygiene. At such places sensible and practical advice in the management of home problems should be available. The need of such advice and the existence of such facilities should be brought home to families by social agencies interested in them, and by a continuous campaign of education in factory and workshop, school and church.

As an illustration of more fundamental problems which involve a greater length of time and more radical changes in society, we may mention the incidence of poverty, dependency, and bad occupational adjustment in many of the families of our prisoners and in their own lives. We need much more research into the means of controlling and improving industrial conditions, so as to provide for uninterrupted employment, vocational guidance, and general amelioration of the conditions of the ranks of labour. Thoughtful authorities are beginning to be convinced that in this country poverty can be reduced to a minimum through social planfulness. Any improvement in the general economic condition of the classes of lower income should reasonably be reflected in some improvement in family conditions and, in turn, in a reduction of delinquency.

Much research is also called for into the question of the marriage problem and unfit mating.

These and like problems are fundamental. They cannot be solved overnight, or by the wishful patent medicines of organized ignorance, or by legislative fiat. They involve some of the most fundamental weaknesses and prejudices of society. The only rational basis of attack on them is the continuous, scientific, unprejudiced accumulation and interpretation of facts, and their application in the building up of programs of social improvement.

After studying the careers of these five hundred young men and their families one is impelled to the further conclusion that a critical evaluation of contemporary American ideals is necessary as a basis for the more intelligent moral

guidance of our future citizens. That the uninteresting reiteration of moral precepts appears to be a failure in building character is becoming more and more clear. If we would build character in our youth and moor it to socially valuable ideals, something much more vital is needed. The youth of today can only be convinced and influenced by something that not only goes deeper, but is more appealing, than the ordinary church or Sunday-school routine. What that something is we do not know. Here is a field of research wherein social philosophers, the clergy, educators, social workers, and psychiatrists can join in fruitful and much-needed study.

Rehabilitation of ex-prisoners. The second reason why something must be said about the environment of the machinery of criminal justice concerns the rehabilitation of former prisoners. The importance of well-organized community effort in work with ex-prisoners has been woefully overlooked. It is chimerical to suppose that after a youth has been subjected to an artificial regime for a time, he can be belched forth into an indifferent community and be expected, with the prison stigma upon him, to find a permanent foothold of respectability. Unless ex-prisoners are released to a better environment than that which nurtured them, only small percentages can be expected to pull themselves out of the mire. Ordinarily, however, they return to an indifferent, unfriendly community, with the added burden of a prison record upon them.

Few if any prisoners' aid societies are even approaching their possibilities of constructive work in this field. Time and again ex-prisoners have complained of the practice of giving a man a few dollars and then letting him drift. Many of them have desired and missed more personal constructive assistance in obtaining employment, in proper introduction to community life, in finding outlets for decent use of leisure. The exact definition of the respective roles of a truly efficient prisoners' aid society and of the parole officer is still to be worked out. There is even a question whether official parole officers will be needed at all if prisoners' rehabilitation becomes established as an important branch of contemporary social work. The question cannot be answered until a social agency of the highest quality undertakes this work, keeps careful records of the results of its efforts, and compares its product with that of public parole officers.

Social transformation and its problems. The thoughtful observer must arrive at the conclusion that the great incidence and peculiar nature of much of modern crime is tied up with the general transformations that our contemporary civilization is undergoing. The great industrial revolution of the nineteenth century brought numerous pressing problems in its wake. With the use of steam-driven machinery, country populations poured into the towns where the factories were located. This meant the breaking of old customs; it meant the crowding of many thousands of workers into a small space, and the tenement evil; it meant the social problems of vice, delinquency, alcoholism, that come with crowded communities of workmen engaged in monotonous occupations

for many hours a day. These, and many other social problems coming in the train of the industrial revolution, eventually brought about ameliorative public and private efforts, when enough authoritative voices were raised in protest against existing evils. Sanitary and building codes, factory legislation, workmen's protective laws of various kinds, better-housing and town-planning movements, child-welfare efforts, and the like were born to counteract the evils of an industrialized era.

We are in the midst of a no less revolutionary era of social and economic transformation. The great industrialization of the age of electricity, the colossal increase in wealth without its correspondingly large distribution among the mass of the people, the automobile and a mobile populace, increasing urbanization, and the multiplication of opportunities for friction, increasing mental strain—these are but a few of the signs of the times. If they indicate progress, they also point to dangers.

Research and experiment the basic needs. Throughout this discussion we have indicated that search and research for facts, experimentation with methods—in a word, painstaking, continuous preoccupation with the complex problem of crime and the conditions under which it thrives and multiplies—is indispensable. It must be confessed that society has as yet evolved but few and imperfect instruments for the understanding and control of its members. The institutions that have for their object the prevention of delinquency and the re-making of human character have assumed a Herculean task. Only research and experimentation brought about the great technical revolutions in the engineering sciences. Only such effort, wedded to an honest conception of social justice, will improve our methods of coping with delinquency and criminality. Material prosperity appears to be well within the grasp of this country. We must now turn our finest resources of mind and heart to the solution of the problems of social pathology that plague it, if the country's well-being is not to be illusory. The cost of this is nothing less than a fundamental and lasting change of public and official opinion towards the entire crime problem. Not blind and petulant repression, but understanding must be our guiding principle. This is the toll society must pay for that maintenance of the general security which is a prerequisite to continued prosperity and happiness. Is it willing to pay that price?

APPENDICES

APPENDIX A

SCHEDULES AND QUESTIONNAIRES

Exhibit 1

HISTORY PRIOR TO PRESENT CONVICTION

Name					No.			
Alias								
1. Age at leaving home			2. Cause			5. Of separation or divorce		
3. Age at death of father			4. Of mother			7. Length of stay		
6. Previous places of residence and with whom								
1.								
2.								
3.								
4.								
5.								
6.								
8. Institutional history								
a. Name	b. Length of stay	c. Conduct	d. Trade	e. Grade				
1.								
2.								
3.								
4.								
5.								
9. Previous court record								
a. Date	b. Court	c. Offense	d. Disposition					
1.								
2.								
3.								
4.								
5.								
6.								
7.								
8.								
9.								
10.								
11.								
12.								
10. Industrial History								
a. Termination	b. Duration	c. Character of prior work	d. Place					
1.								
2.								
3.								
4.								
5.								
6.								
7.								
8.								
9.								
10.								
11.								
12.								
11. Age when began to work								

Exhibit 2

STATUS WHEN PLACED IN REFORMATORY

Name				No.			
Alias							
1. Residence				2. With whom			
3. Crime				4. Sentence			
				6. Date of sentence			
8. Man's narrative of crime				5. Court			
				7. Date admitted			
9. Race	10. Color			11. Citizen			
12. Date of birth	Age			13. Place			
	a. Age			b. Character	c. Employment		
14. Sweetheart	|	|		|	|		
15. Wife	|	|		|	|		
16. Conjugal relations							
17. No. of children	a. Ages: M	F	b. Whereabouts				
	a. Rsdnce	b. Ntvty	c. Charc	d. Occupn	e. Fincl Cond	f. Educ.	g. Rlgn
18. Father	|	|	|	|	|	|	|
19. Mother	|	|	|	|	|	|	|
20. Step-f	|	|	|	|	|	|	|
21. Step-m	|	|	|	|	|	|	|
22. Conjugal relations of parents							
23. Character of home							
24. Corresponds with relatives							
	a. No.	b. Ages	c. Places of residence	d. M. or S.	e. Occupation	f. Occup. husband	
25. Strs.	|	|	|	|	|	|	|
26. Bros.	|	|	|	|	|	|	|
Rank of offender							
27. Relatives or ancestors intemperate, delinquent, insane, epileptic, or pub. chrg.							
28. Education	a. Age	b. Scholarship				c. Conduct	
29. Character of associates							
30. Society membership							
32. Liquor	33. Tobacco	34. Drugs		31. Music, etc.		35. Gambling	
37. Religion	38. Church membership		36. Sex		39. Attendance		
40. Occupation	41. Financial circumstances						
42. Contributed to support of others							
43. Life insurance							
44. Examiner's note of first impressions: Mr.							
	Date						

Exhibit 3

MASSACHUSETTS REFORMATORY HISTORY

Name	No.
Alias	
1. Time in Reformatory: Total	
2. Health record: a. Physique	b. Physical condition
c. Evidence of disease or disability	e. Surgical operations
d. Serious illness	g. No. medical calls
f. Mental condition	
h. Remarks	
i. Physical disabilities corrected:	
3. Mental diagnosis:	
4. Industrial record: a. Attendance	b. Farm
5. School record: a. Attendance	b. Taught RorW
c. Grade entered	d. Grade attained
6. Conduct: a. First grade attained	b. Total marks lost
c. No. offenses	d. Punishments
Date	Offense
1.	
2.	
3.	
4.	
5.	
6.	
7. No. letters	8. Visits
9. Assistance to family by S. S. Agencies:	a. By whom
10. Leisure time occupations:	

Exhibit 4

PAROLE HISTORY

Name	No.
Alias	

1. Date of parole	2. Max. time expires
3. Man's reason for desiring parole	
4. Job secured	a. By family or man himself b. Parole agent
	c. To former employer d. To former occupation
5. Length of service	
6. What difficulties in getting work	
7. Arranged to live with whom	
8. Improved living conditions: a. Boarding	
	b. At home
c. Married	d. Separated
9. Social Service Agencies interested	e. Better neighborhood
	10. Reasons
1. _____	
2. _____	
11. Places of residence	12. Reasons for change
1. _____	
2. _____	
3. _____	
4. _____	
5. _____	
6. _____	
13. Date of revoke	14. Reasons
1. _____	
2. _____	
3. _____	
4. _____	
15. Conduct: a. Satisfactory	b. Illness
d. Disappeared	e. Bad company
i. Excused from reporting	f. Drinking
	g. Gambling
	h. Smoking
	j. Other
16. Recreations	
17. Church attendance	18. Attitude about reform
19. Industrial history:	
Occup. learned in Ref. used	Total number of jobs
a. Occupation	b. Place
	c. Time
	d. Wages
	e. Reason discharged
1. _____	
2. _____	
3. _____	
4. _____	
5. _____	
6. _____	
7. _____	
8. _____	
9. _____	
10. _____	
20. Man's story of industrial record	} (Note: These items were entered on the reverse of the statistical schedule.)
21. Man's story of reasons for revoke	
22. Official story of reasons for revoke	
23. Impressions of Parole Officer: Mr.	
a. Did man improve under parole?	
b. Fair prospect of subsequent good conduct	

Exhibit 5

FOLLOW-UP HISTORY

Name	Interviews with		Date of Parole	By
Present whereabouts				
Places of residence since end of parole	Dates	With whom	Reasons for change	
1.				
2.				
3.				
4.				
5.				
Married	No. Children	Ages	Family relations (attitude, support)	
If single, relation to nearest relatives (live with, support, communicate)				
Economic condition (dependent, marginal, comfortable)				
Neighborhood and living conditions (urban, rural, favorable, fair, unfavorable)				
Property ownership (home, store, furniture, insurance, savings, auto)				
S. S. Agencies interested	Dates	Reasons		
1.				
2.				
3.				
Criminal record (over)	Arrests	Convictions		
Army or Navy (dates)	Conduct			
Non-Penal Institutions	Dates	Diag.	Prognosis	
Health { mental } { physical }	Dates	Diagnosis	Prognosis	
Leisure time and habits (constructive, negative, harmful)			Church	
Unemployment	Causes			
Industrial History (good, fair, poor)	(skilled, semi-skilled, unskilled)	Major occup.		
Occup.	Place	Dates	Wages	Reason left
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
Reformatory influences				
1. Beneficial	4. Criticisms			
2. Harmful	5. Constr. Sug.			
3. Negative	6. Reasons for success or failure			

 What further information?

 What supervision needed? Reasons

 What does the case illustrate?

Exhibit 6

IDENTIFICATION CARD

Name	M.R. No		
Alias			
Address		Living with	
Date of Sentence		Court	
Complexion	Eyes	Hair	Height
Date of Birth	Place		Religion
Parents		Children	
Address			
PLACES OF RESIDENCE SINCE 192			
PRESENT ADDRESS			
School Attended		Citizen	
Prior Places of Residence			
Last known Address			
Last known Job			

(Note: On the reverse side were entered names of any officials, relatives or friends who might have information concerning the activities of the ex-prisoner since the expiration of his parole.)

Exhibit 7

QUESTIONNAIRE SENT TO EMPLOYERS

HARVARD UNIVERSITY
DEPARTMENT OF SOCIAL ETHICS

MILTON FUND RESEARCH PROJECT

SIR:

In connection with a research project which we are now carrying on, we should like some information from you. It will be of very great aid to our work if you will reply to us. We understand you have had in your employ

Will you kindly answer the following:

- (1) Exact dates during which he was in your employ (if this is impossible, please state the year and length of service).
- (2) In what capacity was he employed?
- (3) Wages received?
- (4) Why did he leave your employ?
- (5) Would you re-employ him? If not, why?
- (6) Please comment on his character and industrial habits (on reverse side).

We shall be very grateful to you for this information, and shall keep it in strict confidence. An envelope is enclosed for your reply.

Very truly yours,

Research Assistant

QUESTIONNAIRE SENT TO SCHOOLS

HARVARD UNIVERSITY
DEPARTMENT OF SOCIAL ETHICS

MILTON FUND RESEARCH PROJECT

DEAR SIR:

The Department of Social Ethics of Harvard University is making a study of a group of youths who have served sentences in penal institutions. We are gathering data concerning the school history of these youths, and will greatly appreciate your co-operation in making such information as you have in your records available to us for the purposes of our research. Please fill in as much of this questionnaire as you can. The youths concerned attended your school several years ago.

An envelope is enclosed for your reply. Thanking you for this courtesy, I am

Very truly yours,

Research Assistant

Name	Date of birth	Parents' Names
------	---------------	----------------

Date entered	Grade entered	Age
--------------	---------------	-----

From what school was he transferred (please give exact address)

Date of leaving school	Grade attained	Age
------------------------	----------------	-----

How many grades did he have to repeat?	Which ones?
--	-------------

Reason for leaving school

Average marks (high, average, low)

Did he truant?	How often?
----------------	------------

How old was he when he first truanted in your school?

What was his general behaviour? (for example, conduct satisfactory, lack of interest, dislike of discipline, revolt against school authority, general trouble-making, extreme mischievousness, expelled)

(Use reverse side if necessary)

Exhibit 9

**QUESTIONNAIRE SENT TO SOCIAL WORKER WHEN EX-PRISONERS
COULD NOT BE INTERVIEWED BY OUR OWN INVESTIGATOR
FOR VARIOUS REASONS***

Name _____ **Parole period ended** _____

Address _____

Type of neighbourhood — Urban or rural? _____ **Crowded?** _____

Predominant nationality? _____

Living with whom? _____ **How many in family?** _____

Number of rooms? _____ **How much rent?** _____ **Own your home?** _____

Are you married? _____ **How many children?** _____ **Ages?** _____

Are you fully able to support yourself? _____ **And family if married?** _____

If you are not married are you contributing to the support of others? _____

If so, whom? _____

Where have you lived since end of parole? _____

Place

With whom?

Reason for change

1. _____

2. _____

3. _____

4. _____

5. _____

Have you received any assistance from Social Service Agencies since the end of your parole period?

Name of Agency

Nature of Aid

1. _____

2. _____

3. _____

In what ways do you spend your leisure time? (For example: drink, gambling, gang, kind of associates, clubs, library, etc.)

Have you been arrested since end of parole? if so, in what cities and towns?

What difficulties, if any, have you had with the police because of the fact that you have been in the Reformatory?

Do you now meet any of the boys you knew at the Reformatory? For what purpose?

* This information was used as a basis for verification and supplementation of data by correspondence with appropriate social agencies and officials.

What did you learn in the Reformatory that you think has benefited you and helped you to go straight?

What, if anything, did you learn in the Reformatory or from the other men that was harmful to you?

What do you remember as having been your strongest or most typical impression, feeling, or impulse during your first days in the Reformatory?

Did this state of mind persist or change later? If so, what was your later attitude, and what do you attribute the change to?

Have you had any period of unemployment since the end of your parole period?

How long? Reasons Did you have any difficulty in finding work because you had been in prison?

State in Spaces Below Jobs Held Since Parole Period Ended

No.	Year	Job	Name of place and city	Length of time there	Wages	Reason for leaving
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						

Have you ever used any trade or part of a trade which you learned in the Reformatory? If not, why?

Investigator please write here or attach on separate sheet anything at all about the man which you think would be of interest to us. Please ask the man or his relatives why he entered a life of crime. What were the causative factors of his criminal career? How, why, and when did his delinquencies begin? How, why, and when did they end? Also please describe and give us your impression of his home life and environment.

APPENDIX B

METHOD OF COMPUTING FREQUENCY OF PRE-REFORMATORY OFFENCES

In computing frequency of pre-Reformatory offences, time in penal institutions and time in other institutions falling within the arrest period (namely, from the date of first arrest to the arrest which resulted in the Reformatory sentence we studied) was subtracted from the total period. The number of months, for example, at an industrial school, in jail, and on a prior term at the Reformatory added together was subtracted from the total months between first and last arrest, because obviously offences against the law could not be committed outside of institutions while the youths were incarcerated. If a youth was in a hospital, an institutional school, or an orphan asylum after the date of his first arrest, this period of time was subtracted as well as the time spent at penal institutions. If, however, the commitment to non-penal institutions *preceded* the date of first arrest, it was not included in calculating frequency. Time spent in the army or navy was not subtracted unless the youth was committed to an institution during his service, because soldiers could have committed offences while on leave. If the actual length of stay in some institution was not calculable because of lack of definite data, the length of the sentence to the institution was used. Cases for which we did not know the length of sentence were treated as "unknown." Commitment to the State Farm for drunkenness was counted as three months, which is the length of time actually served; commitment for non-payment of fine, if actual time could not be determined, was counted as one month.

In calculating frequency the number of months obtained after legitimate subtractions was divided by the number of arrests within the remaining period, not counting the sentence to the Reformatory on the offence we studied. The average number of months between arrests was then stated in round numbers, one-half a month or more going into the following month. Frequency was not calculated in cases in which only one offence was committed before the Reformatory offence, since the "average" figure would have little significance.

APPENDIX C

CLASSIFICATION OF CRIMES ADOPTED FOR THIS STUDY

Division of crimes into serious and less serious (major and minor) offences is based largely on the statutory division as indicated by jurisdiction of the superior and municipal (or district) courts, respectively, and by the possible maximum punishments. These principles express society's estimate of the relative social harmfulness of different crimes, and therefore are legitimately utilizable for our purpose.¹ To the above two principles has been added occasionally our own opinion as to the relative social harmfulness of different offences taken as isolated acts. That there is room for differences of opinion as to the relative social dangerousness of different acts is indicated by the wide divergence in the statutory punishments for the same acts in the various states. This is a fact that every system of classification of isolated acts, rather than persons, must face.

I. Serious Offences:

A. Property Crimes.

1. Burglary and possessing burglar's tools.
2. Larceny from person and other larcenies,² receiving stolen goods.

¹ For purposes of diagnosis and treatment of the individual criminal or for scientific treatment of classes or types of offenders, a criminal law and penal procedure based solely upon consideration of an isolated act, instead of upon the personality and background of the actor, are unsound and bound, therefore, to be inefficient.

² Statutory distinctions between grand and petty larceny seem to be historically derived from the distinction between larcenies punishable by death and those not so punishable (the old English law distinction). In recent times the dividing line between grand and petty larceny varies all the way from such a small sum as ten dollars to as high as a hundred dollars or more and is purely arbitrary. The line bears upon the question of what court shall have jurisdiction and upon the length and place of punishment. In Massachusetts there is evidently no statutory line between grand and petty larceny *by name*, although General Laws, 1921, Chap. 266, Sec. 30, provides as follows:

"Whoever steals, or with intent to defraud, by false pretence, or whoever unlawfully and, with intent to steal or embezzle, converts or secretes, with intent to convert, the money or personal chattel of another, whether such money or personal chattel is or is not in his possession at the time of such conversion or secreting, shall be guilty of larceny and shall, if the value of the property stolen exceeds \$100, be punished by imprisonment in the state prison for not more than five years or by a fine of not more than \$600, and imprisonment in jail for not more than two years; or, if the value of the property stolen does not exceed \$100, shall be punished by imprisonment in jail for not more than one year or by a fine of not more than \$300; or if the property was stolen from the conveyance of a common carrier or of a person carrying on an express business, shall be punished for

3. Robbery (including assault with intent to commit robbery, and attempt to commit robbery as well as the possession of weapons when the circumstances indicate they were directly intended to be used for robbery; where this was doubtful, possessing weapons was classified under less serious offences).
4. Arson.³
5. Crimes usually (not always) involving or implying higher intelligence (embezzlement, obtaining property by false pretences).

B. Sex offences.

1. Violent and deliberate, sexually motivated attacks (rape).
2. Pathological sex expressions (homosexuality, incest).

C. Other serious crimes.

1. Homicide (including manslaughter and attempts to commit murder or suicide).
2. Escape or rescue.
3. Fugitive from justice.⁴
4. Dishonourable discharges from the army or navy, not including those for desertion.
5. Serious automobile offences.

II. Less Serious Offences:

A. Those involving habit-forming drugs or stimulants.

1. Possessing or dealing in drugs.
2. Drunkenness.
3. Violation of liquor law.

B. Vagrancy, begging, living on proceeds of prostitution.

C. Sex offences (adultery, lewd and lascivious cohabitation, technical rape, accosting female, fornication).

the first offense by imprisonment for not less than six months nor more than 2½ years, or by a fine of not less than \$50 nor more than \$600, or both, and for a subsequent offense by imprisonment for not less than eighteen months nor more than two and one-half years, or by a fine of not less than \$150 nor more than \$600, or both." (Also General Laws, 1921, Chap. 277, Sec. 39. "Stealing. Larceny. — The criminal taking, obtaining or converting of personal property, with intent to defraud or deprive the owner permanently of the use of it; including all forms of larceny, criminal embezzlement and obtaining by criminal false pretences.")

Since it can safely be said that in very few cases does the prospective offender know in advance that the object he is about to steal is of such small value as to be petty or almost negligible on the one hand, or of considerable value on the other, the classification into serious or less serious offence depends on chance alone. Therefore we have included all larcenies among serious offences.

³ If most arsons were committed in rural districts, we might put them into the category of malicious mischief; they would often consist in burning haystacks and similar acts and would indicate a low intelligence. But in urban districts arson is usually committed for the purpose of defrauding insurance companies.

⁴ Desertion from the army or navy is included.

- D. Offences involving domestic relations (non-support, desertion, bastardy, cruelty to children, etc.).
- E. Simple assaults (assault and battery, except with intent to kill, rape, or rob).
- F. Disturbing the peace (violating the Lord's day, accidental shooting, "crap games," profane and indecent language, discharging fire-arms, cruelty to animals, track-walking, jumping on car, firing torpedoes, carrying sling, etc.); "idle and disorderly."
- G. Malicious mischief.
- H. Offences involving technical violation of automobile regulations.⁵
- J. Others, such as peddling without licence, contempt, violation of police regulations.

III. Juvenile offences (being a stubborn child, delinquent child, etc.).

IV. Unknown or unclassifiable.

In the table on the next page is presented the incidence of the various offences in the pre-Reformatory and post-parole periods and also the offences for which commitment was made to the Reformatory on the sentence which we studied. The letters and numbers refer to those used above in the classification.

⁵ Such as speeding, violating parking-rules, operating without a licence, etc.

TABLE 117

INCIDENCE OF CRIMES — PRE-REFORMATORY, REFORMATORY, AND POST-PAROLE PERIODS

	<i>Pre-Reformatory offences</i>	<i>Offence for which sentenced to Mass. Reformatory</i>	<i>Post-Parole offences</i>
I:			
A.	950	416	284
1.	302	3	12
2.	585	353	214
3.	32	48	41
4.	4	2	...
5.	27	10	17
B.	16	24	11
1.	6	10	8
2.	10	14	3
C.	31	13	113
1.	11	13	16
2.	20	...	7
3.	...	...	47
4.	...	...	11
5.	...	...	32
II:			
A.	289	2	432
1.	10	1	12
2.	279	1	388
3.	...	.	32
B.	37	8	13
C.	2	10	18
D.	14	1	35
E.	105	11	34
F.	252	2	42
G.	...	1	5
H.	19	3	53
J.	...	...	23
III.	175	15	...
IV.	54	4	...
Total	1944	510	1063

APPENDIX D

WHEREABOUTS OF 510 EX-INMATES OF THE REFORMATORY AT THE END OF THE FIVE-YEAR POST- PAROLE PERIOD

PRISONS, State	42	FOREIGN COUNTRIES	7
California	2	Greece	1
Connecticut	2	Italy	2
Louisiana	1	Mexico	1
Massachusetts	22	Poland	1
New York	7	Portugal	1
Ohio	1	Syria	1
Oregon	1		
Pennsylvania	1	BOSTON AND SUBURBS	68
Rhode Island	2	OTHER CITIES IN MASSACHUSETTS	111
South Dakota	1	IN OTHER STATES	81
Vermont	2	California	5
PRISONS, Federal	2	Connecticut	9
Federal Prison, Atlanta	1	Florida	1
U.S. Disciplinary Bar-		Illinois	2
racks, Ft. Leaven-		Maine	4
worth	1	Maryland	2
JAILS, HOUSES OF CORRECTION, STATE		Michigan	5
FARMS.	28	Missouri	1
Illinois	1	New Hampshire	5
Massachusetts	24	New Jersey	2
New Hampshire	1	New York	32
New York	2	Pennsylvania	5
DEPARTMENT FOR DEFECTIVE DELIN-		Rhode Island	6
QUENTS	11	Vermont	1
Massachusetts	11	Wisconsin	1
REFORMATORIES	2	FUGITIVE FROM JUSTICE	31
Massachusetts	1	(including deserters from army or navy)	
Ohio	1	WANDERING ABOUT UNITED STATES	6
HOSPITAL FOR MENTAL DISEASES.	6	AT SEA	6
Illinois	1	PRESENT WHEREABOUTS UNKNOWN	20
Massachusetts	3	(But known for part of period)	
New York	1	WHEREABOUTS COMPLETELY UNKNOWN	27
Pennsylvania	1	(i.e., for entire post-parole period)	
HOSPITAL FOR PHYSICAL DISEASES.	1	DIED	55
Tennessee	1	In Massachusetts Reformatory or in	
ARMY AND NAVY.	6	other institutions to which transferred	11
Army	5	On parole	22
Navy	1	During post-parole	22
		1922 4 1925 9	
		1923 4 1926 3	
		1924 2	
		TOTAL	510

APPENDIX E

PRINCIPAL COMPONENTS OF POST-PAROLE, PAROLE, AND PRE-REFORMATORY CRIM- INAL CONDUCT JUDGMENTS OF PARTIAL AND TOTAL FAILURE

	<i>Post-Parole</i>		<i>Parole</i>		<i>Pre-Reformatory</i> ¹	
	<i>Total failure</i>	<i>Partial failure</i>	<i>Total failure</i>	<i>Partial failure</i>	<i>Total failure</i>	<i>Partial failure</i>
Conviction for at least one serious offence ²	144	.	177	.	366	2
Conviction for minor offences.....	26	43	3	26	19	18
Conviction for minor offences and violation of minor parole rules.....	.	.	4	1	.	.
Conviction for minor offences and minor continual offences not officially known.....	26	.	9	.	13	.
<i>Carried forward..</i>	196	43	193	27	398	20

¹ In rating prior criminal conduct, sex experiences (unless the man was living with another woman if married), school truancy, bad companions, and frequenting of poolrooms were not considered, unless the youth had been arrested for such offences. If he was known to be a drinker or drug addict, however, or was known to have committed serious offences for which he had not been prosecuted, these facts were taken into account in making the judgment of his prior criminal conduct.

² If a man has a record of complete failure based on convictions for serious offences, he is included in this group, even though he may have committed minor offences, or serious offences for which he was not prosecuted; or he may have been also a deserter from the army or navy. If he had no convictions for serious offences, but had been arrested for serious offences, he is placed in the latter category. He is placed in the army-desertion group even though he may have had convictions for minor offences or may have committed serious offences for which he was not prosecuted. If he has committed serious offences for which he was not prosecuted, he is included in that category even though he may have a court record for minor offences.

	<i>Post-Parole</i>		<i>Parole</i>		<i>Pre-Reformatory</i>	
	<i>Total failure</i>	<i>Partial failure</i>	<i>Total failure</i>	<i>Partial failure</i>	<i>Total failure</i>	<i>Partial failure</i>
<i>Brought forward..</i>	196	43	193	27	398	20
Dishonourable discharge or desertion from army or navy ³	22	.	25	.	8	.
Minor offences not officially known.....	2	23	.	6	.	8
Minor offences for which arrested, but not convicted	.	1	.	2	.	.
Minor offences for which arrested, and minor continual offences not officially known.....	.	.	.	.	4	.
Minor offences for which arrested, and violation of minor parole rules.....	.	.	1	.	.	.
Sentences imposed during parole for serious offence and served for part or whole of post-parole period.....	25	.	.	.	.	.
Serious offences not officially known.....	1	.	6	.	15	.
Serious offences for which arrested but not convicted.....	1	4	1	.	1	.
Violation of minor parole rules (any regulations other than arrests for crimes). See p. 49 for parole rules.....	.	.	.	20	.	.
Violation of minor parole rules and commission of minor offences not officially known.....	.	.	4	.	.	.
Warrants out for serious offence.....	15	.	1	.	3	.
Warrants out for minor offence; and continual minor offences not officially known.....	.	.	1	.	.	.
Total ⁴	262	71	232	55	429	28

³ That is, no serious offences; minor offences may have been committed. Where both serious offences and desertion occurred, the case was tabulated under serious offences.

⁴ In the post-parole period there were 89 men who did not commit offences and 88 whose conduct was unknown; during parole 126 who did not commit offences, 97 unknown; in the pre-Reformatory period 32 who did not commit offences, 21 unknown.

APPENDIX F

METHOD OF DETERMINING PRE-REFORMA- TORY ECONOMIC RESPONSIBILITY TOWARD THE FAMILY

It must be remembered that the group we studied were young adults at the time of entering the Reformatory. They would be expected to have contributed towards their own support by working steadily and they would be expected to contribute towards the support of their parents if their parents needed such aid. Those of the group who were married would be expected to support their wives and children.

Information relating to the economic responsibility of the group had to be culled from various sources in the record:

1. The youth's own statement to the examiner upon entering the Reformatory, in which he reported whether or not he was contributing towards the support of others. There were many variations of the proportionate part which different boys asserted that they turned into the family account.

2. Information as to whether the youth was a good, fair, or poor worker. (See definitions used throughout the study.) If he was a *fair* or *poor* worker, it was often concluded that he did not make much effort to be self-supporting.

3. In addition, the economic status of the youth's family was taken into account. If they were in *comfortable* circumstances and the prisoner reported that he was not contributing to anyone's support, and it was found that he was a *good* worker, he was rated as meeting his economic obligations.

4. If the family's economic status was unknown and there was no information regarding the youth's industrial habits, his economic responsibility was rated as unknown even though he may have stated that he did not contribute to the support of others.

5. If he was a *good* worker and said that he was contributing towards the support of others, he was rated as meeting his economic obligations.

6. If he was a *fair* or *poor* worker and his parents were in the *dependent* or *marginal* economic class, he was rated as neglecting to meet his economic responsibility.

7. If he was a *good* worker and his parents were in the *dependent* or

marginal class economically, and he said he was not contributing to their support, he was rated as not meeting his economic responsibility.

8. If he was a *good* worker and his family were in *comfortable* circumstances and he said that he was not contributing towards their support, he was rated as meeting his economic responsibility, because he was at least making an effort to take care of himself.

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ANGELICAL
SCHOOL OF THEOLOGICAL

EVANGELICAL
COUNCIL

APPENDIX G

METHOD OF DETERMINING PRE-REFORMA- TORY FAMILY RELATIONSHIPS

Any of the following criteria or combinations thereof were taken as indicating "poor" family relationships prior to sentence to the Reformatory:

1. Youths who did not know the whereabouts of both parents if their parents were living together; or if parents were separated or divorced, and whereabouts of both were unknown; or if one had deserted and the whereabouts of the other were unknown.
2. Those who did not correspond with their closest relatives while in the Reformatory.
3. Those who were vagabonds for a year or more and did not keep in touch with their closest relatives (wives if married; parents if living; if parents were dead, step-parents or siblings).
4. Those who left home repeatedly before seventeen years of age. (This does not include leaving home because of commitment to a penal institution, or placement in a foster or orphan home, or departure to live with relatives because of a broken home.)
5. Those who were complained of by their parents as being "stubborn children" and those who were arrested for vagrancy before they were seventeen years old.
6. Those who by their own statements did not contribute to the family support when the family was in need of such aid.

In certain cases it was not possible to make any judgment because the home had been broken up and the boy had been committed to the State Board of Charities or to an institution before he was seventeen. These cases were grouped as unknown. In this category were also included those cases in which there was too little information upon which to base a reliable judgment. Cases in which a decision as to moral attitude could not be based on the above criteria were studied for other evidences of moral attitude. The youth was rated as "fair" in

moral attitude if there was no indication of weak family relationships; and "poor" if there was evidence of weak relationship; as, for example:

1. "Police chief called at home frequently; boy a constant source of trouble to his people."
2. "Brought into court once on complaint of his father; mother admitted she could do nothing with him."
3. "Constantly lied to his parents and failed to bring home his earnings."
4. "Father has no control over him; mother shields him"; or "Father said he couldn't do anything with him and at times questioned his sanity"; or "Efforts of parents to control him outweighed by lure of street boys with whom he was for ever running away"; or "Father complained that son is 'wild' and beyond his control"; or "Father said son was becoming uncontrollable and that he stayed out all night, was insolent, etc."
5. "Married; conjugal relations unpleasant when drinking; drunk frequently"; or "Wife had to support herself and children at least partially, as husband tended to 'bum around poolrooms'"; or "Deserted wife at times; never supported her."
6. "Considerable 'bunking out,' and running off from home"; or "Supposedly living at home, but actually roaming around a great deal."
7. "Gives parents a great deal of trouble, steals from them, etc."; or "Troublesome to parents since ten years of age"; or "Disobedient to parents and deceitful, and frequently running away from home"; or "Refusal to work and 'sponging' on parents."
8. "Hobo"; or "Wandering for two years," etc.

SCHOOL OF THE

*PRINCIPAL COMPONENTS OF JUDGMENT
PERTAINING TO FAMILY RELATIONSHIPS
IN THE POST-PAROLE PERIOD*

Basis of Judgment

	<i>Good</i>	<i>Fair</i>	<i>Poor</i>	<i>Total</i>
1. Married, living with wife, and other conditions satisfactory.	60	70	...	130
2. Married, living with wife, conducting himself in way injurious to family.....	...	...	31	31
3. Married, not living with wife..	...	...	48	48
4. Not married, living away from home, but communicating with parents or nearest relatives	...	12	1	13
5. Not married, living away from home, and not communicating at all or only when in need of money.....	...	...	39	39
6. Not married, living at home occasionally or continually....	16	47	...	63
7. Not married, living with parents or near relatives occasionally or continually and considering home only a place to eat and sleep in	...	...	49	49
8. Not married, but living with a woman as his wife.....	...	...	4	4
Total.....	76	129	172	377

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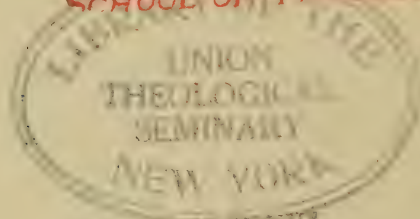
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